

THE DANGERS OF IMMORALITY

Analysis on conceptualisation of trafficking
under the auspices of the League of Nations

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University of Helsinki
Faculty of Social Sciences
Economic and Social History
Master's Thesis
May 2020



Tiedekunta – Fakultet – Faculty Faculty of Social Sciences		Koulutusohjelma – Utbildningsprogram – Degree Programme Master's Programme in Society and Change	
Tekijä – Författare – Author Jenni Maria Kärkkäinen			
Työn nimi – Arbetets titel – Title THE DANGERS OF IMMORALITY – Analysis on conceptualisation of trafficking under the auspices of the League of Nations			
Oppiaine/Opintosuunta – Läroämne/Studieinriktning – Subject/Study track Economic and Social History			
Työn laji – Arbetets art – Level Master's Thesis		Aika – Datum – Month and year May 2020	Sivumäärä – Sidoantal – Number of pages 67 + 7
Tiivistelmä – Referat – Abstract <p>Human trafficking is exploitation, which profoundly violates the freedoms and rights of the victim. The topic has received increasing public and academic attention in the past decades. Nevertheless, an understanding of the essence of human trafficking and its linkage with related phenomena has become clearer only recently. The main reason for conducting this study was the need to make the conceptual context of human trafficking more comprehensible. The present study analyses the conceptualisation and problematisation of trafficking in a time when the language of 'trafficking' emerged, and the League of Nations took a coordinating role over the emerging international activist movement.</p> <p>The study examines the memorandums of the League of Nations' Traffic in Women and Children Committee's meetings from 1922 to 1932, the first decade of its operation. The Committee comprised representatives of some of the League's member states and experts from key non-governmental organisations. The research approach of the study comes from conceptual history. The theoretical framework builds upon the English school of scholarship on international organisations and evolvement of certain norms as international prohibition regime. A research question-based method of qualitative content analysis supported structuring the conceptual analysis.</p> <p>According to the main finding of the study, the emerging international movement, coordinated by the League of Nations, perceived trafficking exclusively as exploitation for prostitution. Based on the data, the conceptualisation of the phenomenon emphasises, above all, problematising it through moral aspects. Moral questions constitute the unanimous basis for discussion and conceptualisation, despite other differences of opinion, which emerge from other meeting notes. The differing views, in turn, concern namely, prostitution as a profession, the benefits of legal prostitution and assessments of the best ways to help victims of trafficking without exposing the rest of the population to undesirable side effects. Whereas the official term 'traffic in women and children', implies recognising a higher vulnerability of certain groups, the overall conceptualisation of the term does not treat trafficking as a structural problem. According to the analysis, trafficking in human beings is primarily an international phenomenon, the diversity of which is most evident in discussions on labour or other immigration. However, the conception of 'traffic in women and children' translates primarily to the 'traffic in prostitutes.'</p> <p>The starting point for this study is that the diversity of phenomena with a meaningful connection to human trafficking has challenged comprehending and conceptualising the issue. These phenomena include, among others, mobility and sex work. The study shows that the significance of these relating phenomena was evident already at the beginning of the work against trafficking, even though the focus was merely on the form of exploitation for purposes of prostitution. Furthermore, the coordinating role of the League of Nations and the emphasis on moral perceptions support describing the ACTWC's work as the evolvement of norms into prohibition regime, which regulates the moral perceptions of states, non-state actors, and individuals. However, the overtones of the emphasised moral aspects set the debate over general attitudes towards prostitution into the core of the conception – instead of prostitution involving trafficking or other exploitation. Notions on possible causes of trafficking, namely structures creating economic inequality are, hence, overshadowed. In the interwar period, the most likely unconscious ambiguousness around the conception of 'traffic in women and children' and prostitution eventually lead to ambivalent policies, which for many advocates were far from their original objectives.</p>			
Avainsanat – Nyckelord – Keywords human trafficking trafficking in women child trafficking prostitution League of Nations women's organisations			
Ohjaaja tai ohjaajat – Handledare – Supervisor or supervisors Jari Eloranta			
Säilytyspaikka – Förvaringställe – Where deposited Digital Repository of the University of Helsinki			



Tiedekunta – Fakultet – Faculty Valtiotieteellinen tiedekunta		Koulutusohjelma – Utbildningsprogram – Degree Programme Yhteiskunnallisen muutoksen maisteriohjelma
Tekijä – Författare – Author Jenni Maria Kärkkäinen		
Työn nimi – Arbetets titel – Title THE DANGERS OF IMMORALITY – Analysis on conceptualisation of trafficking under the auspices of the League of Nations		
Oppiaine/Opintosuunta – Läroämne/Studieinriktning – Subject/Study track Talous- ja sosiaalhistoria		
Työn laji – Arbetets art – Level Maisterintutkielma	Aika – Datum – Month and year Toukokuu 2020	Sivumäärä – Sidoantal – Number of pages 67 + 7
Tiivistelmä – Referat – Abstract <p>Ihmiskauppa on hyväksikäyttöä, joka loukkaa uhrin vapauksia ja oikeuksia syvästi. Tärkein syy tämän tutkimuksen tekemiselle oli tarve tehdä ihmiskaupan käsitteellisen kontekstin muotoutumista ymmärrettävämmäksi. Viime vuosikymmeninä aihepiiri on ollut kasvavan yleisen ja akateemisen huomion kohteena. Silti vasta hiljattain on alkanut selkiytyä ymmärrys siitä, mistä ihmiskaupassa ja siihen liittyvissä ilmiöissä on pohjimmiltaan kyse. Tutkimus tarkastelee ihmiskaupan käsitteellistämistä ja problematisointia ensimmäisen maailmansodan jälkeisinä vuosina, jolloin nykyistä vastaava, 'kauppaan' viittaava käsitteistö vakiintui ja ihmiskaupan vastainen työ järjestäytyi kansainvälisellä tasolla Kansainliiton koordinoimana. Tutkimuskysymykset tarkentavat tyypillisen uhrin ominaisuuksia koskeviin asioihin ja ihmiskaupan muotoon.</p> <p>Tutkimus tarkastelee Kansainliiton ihmiskaupasta vastaavan komitean kokousmuistioita ja raportteja vuosilta 1922–1932, sen toiminnan ensimmäiseltä vuosikymmeneltä. Komitea muodostui joidenkin Kansainliiton jäsenvaltioiden edustajista ja keskeisten kansalaisjärjestöjen asiantuntijoista. Tutkimusasetelma rakentuu käsittehistorialliselle pohjalle. Teoreettisen viitekehyksen muodostavat kansainvälisten organisaatioiden tutkimuksen englantilainen koulukunta ja aiemmasta kirjallisuudesta nouseva jaottelu ihmiskaupan problematisoinnin tavoista. Käsittehistoriallista analyysia raamitti tutkimuskysymyslähde laadullisen sisällönanalyysin tutkimusmenetelmä.</p> <p>Tutkimuksen keskeisimmän löydöksen mukaan Kansainliiton koordinoima, kansainvälistyvä liike mielsi ihmiskaupan yksinomaan prostituutioon liittyvänä hyväksikäyttönä. Aineiston perusteella ilmiön käsitteellistämässä korostuu ennen kaikkea sen problematisointi moraalikysymysten kautta. Moraalinäkökulmat ovat kiistämätön perusta keskustelulle ja käsitteellistämiseksi muista kokousmuistioista ilmenevistä näkemyseroista huolimatta. Eriäviä näkökantoja liittyy esimerkiksi prostituutioon ammattina, laillisen prostituution hyötyihin ja arvioihin parhaista tavoista auttaa ihmiskaupan uhreja altistamatta muuta väestöä epätoivotuille lieveilmiöille. Tiettyjen ryhmien suurempi haavoittuvuus on esillä virallisessa termissä nais- ja lapsikauppa (engl. traffic in women and children), mutta ilmiötä ei varsinaisesta käsitteellistämisen esimerkiksi rakenteellisena ongelmana. Analyysin perusteella ihmiskauppa on ensisijaisesti kansainvälinen ilmiö, johon kytkeytyvien ilmiöiden moninaisuus ilmenee selvimmän työperäistä tai muun maahanmuuttoa koskevissa keskusteluissa. Käsitteen nais- ja lapsikauppa merkitys on silti ensisijaisesti kauppa prostituoiduista.</p> <p>Tutkimuksen premissin mukaan ihmiskauppaan kytkeytyvien ilmiöiden moninaisuus on pitkään vaikeuttanut ihmiskaupan käsittämistä ja käsitteistämistä. Näihin ilmiöihin lukeutuvat muun muassa liikkuvuus ja seksityöläisyys. Monisoluaisuus on ollut ilmeistä jo ihmiskaupan vastaisen työn alkumetreiltä, vaikka huomio kohdistui silloin vain yhteen ihmiskaupan muotoon. Kansainliiton koordinoiva rooli ja moraalikäsitteiden korostaminen sopivat teoreettiseen ajatukseen tiettyjen normien laajenemisesta valtioiden, ei-valtiollisten toimijoiden ja yksilöiden moraalikäsitteiksi säateleväksi instituutioksi. Moraalikysymysten sävy tuo kuitenkin käsitteen ytimeen suhtautumisen prostituutioon yleisesti ihmiskauppaa sisältävää prostituutiota sijaan. Huomiot esimerkiksi ilmiön kytköksistä taloudellista eriarvoisuutta tuottaviin rakenteisiin jäävät marginaaliin. Maailmansotien välisenä aikana ilmiön epämääräinen käsitteellistäminen johti lopulta päätöksiin, jotka olivat vastoin monien ihmiskaupan uhrien puolustajien alkuperäisiä pyrkimyksiä.</p>		
Avainsanat – Nyckelord – Keywords ihmiskauppa naiskauppa lapsikauppa prostituutio Kansainliitto naisjärjestöt		
Ohjaaja tai ohjaajat – Handledare – Supervisor or supervisors Jari Eloranta		
Säilytyspaikka – Förvaringställe – Where deposited Helsingin yliopiston digitaalinen arkisto		

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ABBREVIATIONS

ACTWC	Advisory Committee on the Traffic in Women and Children/ Traffic in Women and Children Committee
AMSH	Association for Moral and Social Hygiene
IAF	International Abolitionist Federation
IB	International Bureau for the Suppression of Traffic in Women and Children
IIs	International Institutions
ILO	International Labour Organisation
IOs	International Organisations
NVA	National Vigilance Association
QCA	Qualitative Content Analysis

1 INTRODUCTION

Last few decades have witnessed an increasing interest in human trafficking. Public discussion and academic research alike have given needed attention to the complex issue. Nevertheless, it is only recently that an understanding of the essence of human trafficking and its linkage with related phenomena has become clearer. One long-lasting challenge, it has been mitigated since the adoption of a definition for trafficking as part of the UN Trafficking Protocol in 2000.¹ Having a common definition, however, is an insufficient solution for solving the complexities of comprehension. As a premise for the present study, I maintain, that the diversity of phenomena human trafficking touches upon has complicated comprehending and conceptualising it for a long time. Furthermore, the lack of correspondence between the perception of trafficking and the real-life issue has left many victims outside of badly needed help.² The present study brings its contribution to this discussion by making the conceptual context of trafficking more intelligible. The starting point is an idea that looking into the way someone uses concepts can reveal the way they view of the world.³ Furthermore, change in vocabulary is often the surest sign that a group or society has entered into possession of a new concept.⁴ Therefore, this study analyses the conceptualisation and problematisation of trafficking in during the years the language of 'trafficking' emerged, and the League of Nations took a leading role in the fight against it.

Trafficking is a typical underground phenomenon as it seems to hide out of the public sight. In truth, it is more likely happening right before one's eyes – but it manages to escape our gaze and attention. Trafficking may be too unprepossessing to invite a closer look, or perhaps it is simply too hard to recognise. The term is maybe not best suited for delivering a clear idea of the phenomenon. It fails to reveal what to search for precisely: what does "traffic" in people look like? Today, perhaps in search of a more robust manner of speech, trafficking is often referred to as 'modern slavery'. Portraying a complex phenomenon through the well-established narrative of slave trade works well in underlying the relevance of the issue – although trafficking and enslavement are historically separate issues, as I argue in this study. However, this language has a

¹ United Nations, 2000.

² For interdisciplinary analysis on the dynamics of trafficking and conceptions of the victims of trafficking as well as the perpetrators see Vihko 2019. Her recent dissertation analyses human trafficking and related exploitation in Finland in the twenty-first century with a versatile approach.

³ Skinner 1989, 7.

⁴ Skinner 1988, 207.

downside too. In everyday language, modern carries a connotation of novelty, although for a historian the meaning is rather different. Thus, referring to trafficking as modern slavery may deliver an impression that trafficking in human beings is somehow a recent or novel problem: a new form of an old disease, a rebirth of something we were already supposed to have killed. It is not.

The emerging international community recognised trafficking as a serious problem over a century ago. Discussion around the issue emerged first in Britain towards the end of the nineteenth century. Then, the issue was labelled under the language of slavery too; although only with a specific and quite controversial modifier 'white'. 'White slavery' referred to luring or forcing young women abroad to become exploited in prostitution. Although concerned activists exploited terminology and tactics of the earlier international antislavery movement, the issue itself was not perceived to be connected or parallel to actual enslavement.⁵

Acknowledging the seriousness of women becoming tricked abroad and then becoming victims of such a deceitful practice occurred quickly among activists and state officials alike. The movement to end white slavery held two international conferences between 1899 and 1913, which resulted in two international treaties published in 1904 and 1910, attempting to lay the foundation for international cooperation. However, criticism over the narrow scope of the term white slavery and with the advocacy around it arose as well. In the 1920s, the language of 'white slavery' was replaced with 'traffic in women and children'. The adoption of a new concept enabled internationalisation of the movement, as it was more inclusive than the previous one. The change can also mark evolution in the movement's worldview.⁶

The initial interest motivating this research was to gain more understanding of how the conception of trafficking has evolved and developed. The present study aims at understanding what 'trafficking in women and children' meant for the experts, who were at the forefront of the fight to end it. Did the new concept entail a change in the conception, which had previously concerned prostitution and international movement primarily? Did the concern now broaden from white women to any women at a similar risk of exploitation? These ponderings constitute the general guiding question of the present research. In order to find answers to these questions, this study enlarges in the decade following the change of language. There is previous scholarship on the early

⁵ Limoncelli 2010, 6

⁶ Leppänen 2007, 524.

phases of the anti-trafficking movement. However, my study's distinctiveness is in its objective to grasp the ideas around trafficking with conceptual analysis.

A few mentions indicate that some activists had preferred the language of traffic already in the 1910's century. However, the first official use of the concept was in the title of an International Convention for the Suppression of the Traffic in Women and Children⁷, signed in Geneva on September 30 in 1921. This was the first of the League's Conventions that dealt with a human rights issue.⁸ This instance also marks another major change in the fight against trade in women: the beginning of the leading role of the League of Nations. The idea that the League's should contribute to this combat in a meaningful way is already present in its Covenant, along with other miscellaneous matters the League aimed to address in addition to its primary focus – preventing another total war. In the second Assembly of the new-born League in December 1920, Fröken Henni Forchhammer seized on this commitment. She became the first female to address the Assembly as she demanded strong intervention to end the traffic in women.⁹ The problem was pressing and solving required extensive cooperation across national borders. The League of Nations had to be the one to take a leading role in tackling this issue. The words of the Danish delegate did not return to her empty: the following year the League of Nations called an international conference under its auspices to assess the issue. Response to the invitation was enthusiastic, as unparalleled thirty-four nations gathered in Geneva for a discussion. The International Convention for the Suppression of the Traffic in Women and Children was an outcome of these discussions.

In order to truly tackle the issue of traffic in women, the Conference decided that there should be adequate monitoring of states' adherence to the Convention. Establishing an advisory committee appeared to be the best way for ensuring that the efforts declared in Geneva would be put to practice.¹⁰ The Advisory Committee on the Traffic in Women and Children (ACTWC) composed of the leading experts in the field, representing both the national governments and the major civil society actors.¹¹ In the following years, the ACTWC obtained a significant role as the brain behind the League's anti-trafficking policy. The League's efforts in the battle against trafficking in women developed into one of the main components of its social and humanitarian work. According to contemporary appraisal, the Committee revolutionised the League methods in investigating social

⁷ League of Nations 1922, 415.

⁸ Metzger 2007, 73.

⁹ Boeckel 1929, 234.

¹⁰ Knepper 2012, 784–785.

¹¹ See Appendix III for the Members of the ACTWC in 1922–1932.

problems.¹² Its legacy is remarkable, considering the role the League of Nations and later United Nations has attained in promoting international cooperation and human rights globally. The way in which anti-trafficking campaigns managed to secure a place under the wing of the League of Nations in the interwar years did naturally help the movement to grow stronger. It also makes it a vital instance in the history of internationalism. Some historians have argued, that it represented a revolutionary shift towards broader development of the human rights regime.¹³ Others have merited it to be the first internationally advocated women's issue since addressed it occurred in the same period but before issues such as suffrage, education and married woman's citizenship.¹⁴

This study approaches the topic by examining the work of the expert group, which the League entrusted with offering advice on matters related to traffic. The objective of the study is to shed light on what constituted the most pressing concerns in the work of this Committee. In other words, the research problem is the type of questions the Committee of leading experts handled as it tried to solve the problem of trafficking women and children across national borders. Particular interest goes to the way the experts regarded victims of trafficking: whom did they view at risk of becoming trafficked?

Three research questions squeeze the problem to fit one study. These questions are not entirely exclusive, but they primarily guide the research and compose its backbone. The questions have developed during the research process, as expected. The final research questions that this study will focus on stem from the change of concept from 'white slavery' to 'traffic in women and children'. Firstly, the study seeks to find out if the new language brought a particular focus on the age of victims. The second question regards the removal of 'white': was the nationality of the victims part of the discussions? Finally, the third research question is whether the more inclusive language resulted in changes in the forms of exploitation from sole prostitution. All of the questions concern the perception of trafficking and how it operates. Like many historians before me, I have found inspirations from the famous words of Douglass C. North: "history matters".¹⁵ North basis this claim on a notion that it is not only the lessons the past has to offer that make it relevant but the fact that "the present and the future are connected to the past by

¹² Boeckel 1929, 234.

¹³ Metzger 2007, 54-79; Gorman 2008, 186-216.

¹⁴ Limoncelli 2010, 2.

¹⁵ North 1990, vii.

the continuity of a society's institutions “.¹⁶ In a similar vein, I maintain, that if one wishes to understand the surrounding society, exploring continuity and change in its institutions is a well-founded point of departure. As Chapter 2 will discuss in more detail, institutions are more than the formal institutions of society; they are also strongly linked to moral values and norms of behaviour.

The mind of the present study and its objective rest upon two presumptions. Firstly, the anti-trafficking campaigns of today are descendants of the first anti-trafficking movement that gained momentum in the turn of the twentieth century. One evident similarity is that both compose most importantly by three types of organisation (in today's terms): intergovernmental, international and non-governmental. Some organisations are even the same – or successors, as is the case with League of Nations and United Nations. This similarity in key actors suggests at least a loose continuum between the current efforts to end trafficking and the first movement with the same objective.

The point is not to argue that choices made a hundred years ago predefine today's anti-trafficking efforts, or to neglect the changes that have occurred in and around these movements. Furthermore, the intention is not to ignore the achievements of those who have advocated for the victims of trafficking. What I maintain is, that the practice of exploiting human beings for economic benefit was an issue at the beginning of the twentieth century, that it continues to be an issue today and that the ongoing efforts to end this practice have built upon the work of earlier generations. After all, hundred years is not a very long time for a breakthrough, especially on issues that originate in the vulnerability of some and the willingness of others to take advantage of this vulnerability.

The second presumption is that 'trafficking in women and children' was a different issue than what we today know as human trafficking. While this claim might appear contradicting to the previous one, the tension between these two arguments forms the mind of this study. This claim is the basis of the research problem and at the same, enlarging on it is the objective of this study. Today, trafficking is an umbrella concept in a sense, that it includes various forms of exploitation, including sexual exploitation, exploiting the prostitution of others, forced labour, slavery or similar practices and the removal of organs or human tissue. Although the focus is not on comparing definitions, the questions this study asks, stem from the assumption that the early anti-traffickers were

¹⁶ Ibid.

not necessarily talking about the same phenomenon presented in recent research. Thus, asking 'different how' is an inseparable part of the objective of this study.

These premises are present throughout my thesis. Each of the following five chapters serves as a step from the above questions towards their answers. The next chapter lays the historical setting of the research topic. It does not seek to fully cover the breadth of affairs that have a connection to the interwar period and the League's creation, work or legacy. Instead, the aim is to carefully disclose the elements, which are most relevant for understanding the arena role the League created for the movement against trafficking by taking a coordinating role over it.

Furthermore, the end of the first chapter covers the most relevant existing literature, to which this study aims to add its contribution. The second chapter, in turn, presents the theoretical and methodological choices of the present study builds upon – and explains why some other options are excluded. In addition to discussing ways of problematising trafficking, the chapter covers the key theories from the English School of international relations, which in a sense provide a context for analysing the ACTWC as an embodiment of international society. A following a discussion on methodology elaborates the research design further and explains how conceptual history as an approach forms the basis for the outlook of this study. The third chapter closes by explaining how qualitative content analysis will serve as a method for analysing the data, which the fourth chapter presents and thoroughly assesses. The fifth chapter covers the analysis from outlining familiarisation with the data minutes and reports of the ACTWC to presenting the findings. The analysis includes a particular focus on two cases, which the Committee repeatedly discussed: removing the age limit for the relevance of a victim's consent from the international treaties and the connection between licensed prostitution and trafficking. Two analysing these two discussions with due care, four dimensions emerged to reveal how the ACTWC conceptualised and problematised 'traffic in women and children'. The discussion of these findings happens in the sixth chapter, which concludes the study.

2 BACKGROUND AND PREVIOUS RESEARCH

This chapter begins with an outlook on the formation of the movement against trafficking or ‘white slavery’, which was the predominant way of referring to the problem that later became known as trafficking. The movement gained momentum before the World War I. After the war, the new-born League of Nations took a leading role in coordinating the efforts to suppress trafficking. In practice, the single most important body for the League’s efforts in trafficking was the Advisory Committee on Traffic in Women and Children (ACTWC), which comprised representatives of a few member states and voluntary organisations. For this research, the work of the ACTWC serves as a window for analysing the ‘traffic in women and children’ and the movement to end it during the decades in between the wars. With this objective, the present study brings its conceptually oriented contribution to the rich body of previous research on prostitution, human trafficking, the League of Nations in general, and its trafficking committee in particular.

2.1 Movement against ‘white slavery’

The nineteenth century was a time of early transnational civil society activities, namely the movement against slavery, early pacifist organisations, and movements promoting women’s rights and transnational worker’s alliances. On the latter half of the century, activists began to call attention to the cross-border movement of women for prostitution. This issue came to be known as ‘white slavery’ or ‘white slave traffic’.¹⁷ Following the 1800s emerging international humanitarianism and footprints of the earlier international antislavery movement, various activist groups began to gain momentum for getting their cause noticed.¹⁸ By the time the League of Nations took a coordinating role in the fight against trafficking, the movement was a cluster of views and actors with different backgrounds. The most evident dividing line was between feminist abolitionists, who challenged the state’s predominance on matters of prostitution and regulationists, who sought to reinforce the state’s sovereignty.¹⁹ Despite their differing emphases and objectives in fighting the traffic, these groups found a way to be part of the same movement. Moreover, both ends of the movement also came to have a voice in the League’s work in combating trafficking in women and children.

The roots of the abolitionist campaign against traffic trace back to the nineteenth century Victorian England, where women’s participation in philanthropy had begun to increase as an extension of taking care of the domestic sphere and religious duty to do

¹⁷ Aronowitz 2017, 6.

¹⁸ Limoncelli 2010, 6.

¹⁹ Limoncelli 2010, 2; Doezeema 2000, 26.

good works.²⁰ Some women, however, diverged from this conservative ideal and took a stand on public policy. One of these women was Josephine Butler, who became one of the most visible advocates of the feminist abolitionist view in Europe and remained an iconic figure in the fight against traffic for several decades.²¹ Butler was the spearhead of a movement that arose as a response to the Contagious Diseases Acts, which were enacted in England in 1864, 1866 and 1869 and entailed an approach to control prostitution through forced medical supervision. In 1870, opponents of this policy founded the Association for Moral and Social Hygiene (AMSH) to defend prostitutes' rights. Their activism led to the removal of the Acts in 1886.²² That was not enough for the movement or Butler. Already before this victory, Butler had founded another liberal feminist organisation in 1875, which after a few name changes came to be known as International Abolitionist Federation (IAF). According to Leppänen, influential contemporary commentators understood abolitionism as a position against legislation facilitating prostitution rather than a belief that abolishing prostitution itself was possible.²³ This notion was true in the case of Butlerian feminists, whose commitment was directed particularly at abolishing state regulation of prostitution and rescuing young girls from the hardships of prostitution.²⁴

The feminist abolitionists were worried about the rights and conditions of the prostitutes. They criticised narratives projecting prostitutes as 'fallen women'. The opposing end of anti-trafficking advocates also considered prostitution problematic. However, their main concern was on controlling the moral weakness of 'sexually deviant' prostitutes and the diseases they were believed to spread.²⁵ In contrary to abolitionists, these groups concluded that state regulation was the most influential tool for maintaining the 'necessary evil' under control. While state regulation of prostitution was not a new practice, the emergence of regulationist groups in the anti-trafficking context occurred a little later than the abolitionist ones. The driving force of the regulationist movement was the British the National Vigilance Association (NVA), established in 1885.²⁶ In 1889, the NVA institutionalised and internationalised its efforts under the International Bureau for the Suppression of the White Slave Traffic (IB).²⁷ This group represented the 'social

²⁰ Claus & Marriot 2014, 198.

²¹ Metzger 2007, 55.

²² Doezenia 2000, 26–27

²³ Leppänen 2007, 524; Flexner 1914, 286.

²⁴ Gorman 2008, 194; Metzger 2007, 55; Leppänen 2007, 525.

²⁵ Doezenia 2000, 27.

²⁶ See Attwood 2015 for a more detailed discussion on the NVA and its relationship with the state in Britain.

²⁷ Later, the end of the name changed to 'Traffic in Women and Children' and 'Traffic in Persons'.

purity' approach, fighting to suppress the 'white slave traffic' while regarding the state's sovereignty in matters of prostitution to be in line with the public interest.

Even though the abolitionist and regulationist had somewhat differing reasoning behind their motivations, they both wanted to fight against the 'white slavery', or 'white slave traffic'. The most reputable definition for this issue in historical scholarship it is "the procurement – by use of force, deceit or drugs – of a white woman or a girl against her will for prostitution".²⁸ Thus, the concept seems to indicate who the victim was and the form of exploitation in question. A similar construction appears in the writings of an early twentieth-century feminist, Emma Goldman. In her writings, she equated 'white slave traffic' with prostitution, but seemed to criticise the narrow scope of the concern. Goldman reckoned that attempts to address white slave traffic were foolish as they failed to recognise the root causes of prostitution.²⁹

Although white slavery generally refers to the trade in women as described above, it appears that the term had a different meaning originally. The first employment of the concept was a few centuries earlier in Britain, where it was used to criticise the government for sending colonists to Van Diemen's Land referred to chattel slavery and indentured servitude of white people in North Africa. The concept has been used in connection to work conditions, namely referring to children working in the English mills. The labour movement employed it to describe the exploitation of white workforce at the turn of the 20th century, around the same time, the question of women and prostitution gained visibility.³⁰ These association with labour faded in Britain around the early twentieth century as the concept became employed primarily in connections to exploitative prostitution. This "feminisation" of the term marked a more general separation between prostitution and labour. Some have even suggested that it stimulated the privatisation of white slavery, meaning shifting responsibility for the issue from state actors to the sex industry.³¹

By 1904 both, the new association of 'white slavery', and the issue itself had gained enough momentum for the signing of International Agreement for the Suppression of the 'White Slave Traffic'. The twelve states that ratified and nine others that acceded to the Agreement in 1904 each agreed to establish an official to coordinate sharing information on the procurement of women or girls for immoral purposes abroad. Indeed,

²⁸ Doezeema 2000, 25.

²⁹ Goldman 1969.

³⁰ Laite 2017, 43.

³¹ Keire 2001, 7.

the objectives of the Agreement seem to have been two-fold: protecting women and girls from being trafficked into prostitution and regulating migrant women.³² The protective approach to the issue focused only on white women, which did not go unnoticed. In response to re-ceived criticism, the scope was widened to include children, meaning girls, to reflect that sex trafficking could happen to them as well. The change occurred was in the next official commitment, the International Convention for the Suppression of the White Slave Trade signed in 1910, although there occurred no change in the title. At the time, males of all age and non-white (migrant) women remained excluded. Requests for further inclusion continued within the international campaign against trafficking.

By the interwar years, it was time to recognise non-white women to as potential victims of sex trafficking and ‘white slavery’ was replaced by ‘the traffic in women and children’. The first official use of the concept was in the International Convention for the Suppression of the Trafficking in Women and Children was signed by thirty-four states in Geneva in 1921. The new language was consistent with the League’s other efforts, namely trafficking in opium and trafficking in armaments.³³ For this study, it is crucial to note that the abandonment of ‘white slavery’ did not necessarily mean abandoning all the ideas connected to it. Another crucial notion is that the actors presented in this chapter were not merely part of prelude for the anti-trafficking efforts of the League. Instead, their work continued actively after the World War I. The AMSH’s focus broadened gradually from rescue to fighting the ‘supply’ side of the ‘moral offence’ by preventing women from entering prostitution. In the latter part of the 1920s, the association’s attention shifted increasingly to the problem of ‘demand’.³⁴ The work of the IAF, in turn, aimed at altogether abolishing the state regulation of prostitution from everywhere in the world.³⁵ Butler herself passed away at the beginning of the twentieth century, but her work prevailed. Stalwart supporters of the Butlerian feminist abolitionism participated in the League’s trafficking committee as well. For example, the representative of United States, Grace Abbott was known for her abolitionist views and Avril de Sainte-Croix, who represented International Women’s’ Organisations in the ACTWC, has been called “the Josephine Butler of France”.³⁶ On the regulationist side, in turn, the International Bureaus became one of the five original voluntary organisations in the League’s

³² Aronowitz 2017, 7.

³³ Knepper 2011, 168-169.

³⁴ Gorman 2008, 196.

³⁵ Limocelli 2010, 6.

³⁶ Leppänen 2007, 527; Pliley 2010, 95; Offen 2008.

trafficking committee, which was established in 1921, soon after the League of Nations itself came into existence.

2.2 The League of Nations

The call for an actor like the League in the aftermath of the World War I was undeniable. The form the League's acquired was a result of careful planning. It took place on both sides of the Atlantic during the war. The final form was also a sum of compromises that were necessary to gain commitment to the idea at the end of the war. However, a demand for an international actor to maintain peace was not new: at least in Europe, people had entertained different visions of pacts or leagues to prevent war since the fall of the Roman Empire.³⁷ The classical historical narration of international organisations dates back to long before the beginning of the twentieth century. In seventeenth and eighteenth-century philosophers such as William Penn and Immanuel Kant had discussed schemes on perpetual peace.³⁸ Other focal developments include the establishment of the new political order in Europe in the aftermath of the Napoleonic Wars in the Congress of Vienna in 1814–1815,³⁹ the founding of the International Peace Bureau in 1891 and the Inter-parliamentary Union in 1889. In addition, several international organisations grew visibly after the 1860s – although the creation of the Universal Post Office in 1875 is sometimes considered the beginning of international organisations. These organisations had quite specific scopes, but cumulatively they covered a broad sphere of issues and developed in parallel to the spread of modern nation-states.⁴⁰ Albeit non-political, these organisations demonstrated the efficiency of international cooperation.⁴¹ As Herren-Oesch notes, these developments of internationalism were closely associated with the needs industrialisation had imposed on world markets. Still, the rationale promoting international bodies expanded beyond technical, legal or economic nature.⁴²

The idea that an international organisation could have a role in supporting the settlement of disputes between states had been present also in the Hague Peace Conference of 1899.⁴³ Together with the second conference held in 1907, the Peace Conferences strived to establish judicial mechanisms for conflict resolution.⁴⁴ There were plans for holding in 1914 – even though the first two had fallen short in fulfilling their

³⁷ Northedge 1986, 25.

³⁸ Immanuel Kant has been credited with making the idea of lasting peace famous. The idea had, however, been discussed before, namely in writings of Charles-Irénée Castel de Saint-Pierre.

³⁹ Herren 2016, 91.

⁴⁰ Herren 2016, 91–96.

⁴¹ Goldstein 2002, 34.

⁴² Herren 2016, 97.

⁴³ Crook 2016, 646.

⁴⁴ Goldstein 2002, 34.

objectives – but it never took place due to the break of the war.⁴⁵ The war indeed caused at least a partial interruption in the development of international organisations at large and brought the 'long' nineteenth century to its end. On the other hand, the end of the war marked the beginning of a new era of institutional initiatives. The League of Nations was the most notable example of such initiative. It is, therefore, safe to say that the League of Nations continues the pre-war initiatives of an international organisation entrusted with promoting peace.

The League of Nations came into existence in January 1920 with the infamous objective of maintaining universal peace and guaranteeing security. The creation of the League was a process of compromises between several proposals and bargaining among the victors of the First World War, or Great War as it was called at the time. In the aftermath of a war that had involved twenty-nine countries and left the world in widespread political turmoil. The impacts of the war turned out to outweigh the reasons states had entered the war. Outcomes including collapse of the German, Austro-Hungarian, Russian and Ottoman empires and consequently, the emergence of numerous new states with conflict and incompatible territorial aspirations. Unprecedented terrors called for novel solutions. Drafts for a new organisation that capable of dispute settlement and providing guarantees of territorial integrity had already been actively prepared during the war.⁴⁶ By the time the Armistice with Germany was signed in November 1918, it was clear that such an international organisation would come to existence as an outcome of the peace settlements.⁴⁷ The American President Woodrow Wilson and the British prime minister David Lloyd George had both addressed the issue publicly at the beginning of the same year, and plans were in preparation in both countries, as well as in others, namely in France. This new organisation was something the world had never seen before.⁴⁸

The League's final constitution, the Covenant, was negotiated on as part of the peace settlement, which began in Paris in January 1919. The atmosphere before the Paris Peace Conference was awaiting. It would be the largest diplomatic gathering the world had ever known. A telling detail is that the most prominent figure of the peace negotiations, President Woodrow Wilson, participated in person, which made him the first American President to leave the United States' soil while in office.⁴⁹ The hopefulness

⁴⁵ Northedge 1986, 11.

⁴⁶ Most prominent groups studying the idea included the League of Nations Society and the League to Enforce Peace, both established in 1915. See eg. Northedge 1986, 25–45.

⁴⁷ Goldstein 2002, 34.

⁴⁸ Northedge 1986, 68.

⁴⁹ Goldstein 2002, 5.

among the victors of the World War I condense into the words of a young diplomat from Britain that to shape the postwar order would be “not merely to liquidate the war, but to found a new order in Europe. We were preparing not Peace only, but Eternal Peace”⁵⁰. Wilson had presented his ideas for the postwar order in his Fourteen Points speech, which he gave in January 1918. The speech had a twofold aim: producing a basis for a peace settlement and providing an alternative to the Communist ideology Lenin fostered in Russia. His ideas built stability upon nation-state and liberal democracy.⁵¹ In addition to Wilson, the leading political figures at the conference included the British prime minister David Lloyd George and the French premier, Georges Clemenceau. While Wilson was the visionary, Lloyd George provided with a more applied approach to the problems at hand and Clemenceau brought a realistic approach focused on short-term objectives.⁵² The basis of the negotiations in Paris and substantially the final constitution was the Hurst-Miller plan, which composed of the outlines of Wilson’s premise and British ideas for more practical implementation.

The Covenant was approved a part of the treaties of Versailles, incorporated into the peace treaties with Germany, Austria, Bulgaria, and Hungary. The approval took place in the conference of Allied and Associated Powers in Paris in April 1919. These states, composed of the winners of the First World War and neutral states, were the forty-two original members of the League. As such, it expressed the hopes of how this new invention could work and what it would achieve. Bargaining and compromising, which had marked the negotiations of the Covenant, continued throughout the League’s existence.⁵³ The organisation’s objective was to help states to work together on the basis based on national sovereignty. Although many wondered whether the underlying aim of behind the League was becoming a world state, it seems that it never aspired for such a role. Its decision did not carry binding force; they were recommendations. Furthermore, states had the freedom to join or leave the League if they wished.⁵⁴ The League was an arena for international cooperation and arguably superior to the sum of its parts. However, its mandate was more suited for creating conditions for cooperation than forcing anything.

The Covenant expressed the objectives of the League in twenty-six articles. The primary goal was preventing horrors of the Great War from happening again. However, rather than aiming at preventing war altogether, the machinery of the League was

⁵⁰ Bonsal 1946, 207.

⁵¹ Goldstein 2002, 5–6.

⁵² Goldstein 2002, 94–95.

⁵³ Sallinen 2013,

⁵⁴ Northedge 1986, 52.

designed to limit conflict by containing aggression and allowing time to find a peaceful solution to disputes.⁵⁵ Articles on the maintenance of peace and Articles on protection and security to the small countries against the aspirations of more powerful ones form therefore, the hard core of the Covenant.⁵⁶ The approach was, however, much more comprehensive and League acquired several roles that supported its primary goal. These included promoting disarmament and ensuring its members' respect for each other's territorial integrity as well as political independence against external aggression. Another crucial aim was preventing the escalation of conflicts by revising treaties and securing peaceful outcomes of disputes, namely by ensuring that its members solved them through League's machinery for conciliation. If necessary, the aim would be localising the fighting.⁵⁷ These goals are apparent throughout the twenty-six articles of the Covenant.

The first Article concerned issues of membership; Articles 2–7 covered the three principal organs, the Assembly, the Council and the Secretariat. The Assembly was the constitutional organ, where the Member participated directly. Each Member had three representatives but only one vote, which meant that all Members had equal footing on representation. The Assembly usually gathered annually and defined the general policy of the League by resolutions.⁵⁸ It was also the place for political discussions. The other organ in charge of political direction was the Council. Its originally four permanent members gathered several times in a year and prepared the matters for the discussion of the Assembly. The Council also seconded the Assembly's decisions and resolutions before they moved to implementation, which made it the main executive body. Generally, decision making in the League happened based on the rule of unanimity, with some exceptions.⁵⁹ The third organ, in turn, the Secretary, was the permanent element of the League, led by a General-Secretariat. It was the civil service of the League in charge of its functionality, instead of political decisions.

Articles 8–9 dealt with disarmament and arms control, which were among the top tasks of the League. Article 10 stated that members would mutually respect each other's territorial integrity, political independence and promised joint protection from external aggression. This Article became the stumbling block for the United States' membership in the League: despite the President's commitment, the Senate was not fully satisfied with the outcome of the negotiations. Wilson was willing to make some compromises, and

⁵⁵ Henig 2010, 43–44.

⁵⁶ Walters, 1952, 52

⁵⁷ Henig 2010, 43–47.

⁵⁸ Goldstein 2002, 40.

⁵⁹ These exceptions were described in the Articles 1, 4, 5, 6 and 15 of the Covenant. Erich, 59–60.

eventually, the Allied leaders were too. However, Wilson insisted on Article 10, which lead to a defeat of the Treaty in the Senate in November 1919. Consequently, the United States never became a member of the League.⁶⁰

Articles 11 allowed members to appeal to the Council in cases of disputes; Articles 12–15 continued to deal with different situations of disputes; Article 16 presented an obligation to act against another member if they violated the Covenant by going to war; Article 17 expanded the protection of members to the same as agreed against non-members; Articles 18–21 dealt with the relationship between the Covenant and other treaties; Article 22 covered the mandates system; Articles 23–25 concerned areas of mutual concern, where the League wished to increase international cooperation; and finally, Article 26 dealt with provisions for amendments.⁶¹

As the above summary of the Covenant suggests, the League had some general objectives in addition to its main tasks. These included supervising international agreements concerning traffic in women and children, of opium and other dangerous drugs, controlling international trade in arms, technical questions and taking steps to prevent disease. All the members of the League committee readily accepted these areas of mutual interest.⁶² They also lead to the development of various secondary agencies and technical committees. The most important bodies in addition to the three organs were the International Labour Organisation and The Permanent Court of International Justice.

Addressing a broad set of issues, which were regarded technical, expanded the League a footing from the political affairs into a whole new area of international relations, “widely regarded at the time as the truly novel feature of the modern world”, as Northedge notes.⁶³ Taking into account the economic hardship the war had caused, social and economic conditions were undoubtedly an essential part of building overall stability.

According to Pedersen, shifting of boundaries between international authority and the state are often connected to the narrative of the League – especially in the areas of mutual interest, like drug trafficking, trafficking in women and children, preventing diseases and managing refugees.⁶⁴ Building on pre-existing international agreements and bringing them under its authority has been as a typical approach for the League. A similar pattern appeared with regimes of trafficking drugs, refugees and arms.⁶⁵ Thus, the League

⁶⁰ Goldstein 2002, 38–39. See also Henig 2010, 25–53.

⁶¹ Goldstein 2002, 38–39; Northedge 1986, 46–69.

⁶² Walters 1952, 58–59.

⁶³ Northedge 1986, 84.

⁶⁴ Pedersen 2007, 1091–1092.

⁶⁵ Pliley 2010, 93.

of Nations become the centre of gravity for existing international organisations. Besides, the League was a global actor in a new sense: despite maintaining the colonial setting, it had members beyond the Western states. This element served to increase the value of formal international organisations.⁶⁶ The League established its headquarters in Geneva, which was chosen based on Switzerland's neutrality, with an eye on potential future Members such as Germany. Consequently, in the following years, Geneva came to be known as the nest of diplomacy.

2.3 Traffic in Women and Children Committee

The shortcomings in ensuring collective security have somewhat tarnished the reputation of the League. However, such a view on the League's undertakings is needlessly narrow. Whereas the League succeeded in solving conflicts and taking the initiative to establish general codes for railways, ports, and waterways⁶⁷, its most unchallenged achievements were in the field of social and humanitarian work.⁶⁸ Mandate for these undertakings came from the Covenant. Its preamble stated that the League was to "promote international cooperation by the maintenance of justice".⁶⁹ The primary basis for the League's action on social questions came from Article 23, which enabled specific tasks within a general interest of humanity.⁷⁰ Most importantly from the viewpoint of this study, Article 23 entrusted the League with supervising the execution of the agreements that dealt with the traffic in women and children or the traffic in opium and other dangerous drugs.⁷¹ Without deliberating on details or means for this objective, the League declared itself a leading role in coordinating the battle against trafficking.

The first fruit the anti-trafficking movement saw after the League took a leading role in overseeing its efforts was the International Convention for the Suppression of the Trafficking in Women and Children was signed by thirty-four states in Geneva in 1921. This Convention marked the first official use of the concept 'trafficking in women and children'. The new language was consistent with the League's other efforts, namely trafficking in opium and trafficking in armaments.⁷² The League-sponsored conference was a result of conversations between the leading activists and the Secretariat of the League. Representatives of thirty-four countries attended the conference and produced a

⁶⁶ Herren 2016, 112.

⁶⁷ Goldstein 2002, 46.

⁶⁸ Gorman 2008, 193.

⁶⁹ Sallinen 2013, 106.

⁷⁰ Erich 1926, 176.

⁷¹ This task was stated in Article 23 (c) along with a similar duty to supervise the execution of agreements with regards to the traffic in opium and other drugs. See Appendix II for the Article 23 in full.

⁷² Knepper 2011, 168-169.

set of resolutions called the First Act.⁷³ The Final Act created a structural framework for promoting the anti-trafficking agenda. The most noteworthy outcome of the Act was establishing a new key actor: The League of Nations' Advisory Committee on the Traffic in Women and Children.

The ACTWC was a technical body, which operated under the League's Social Section and its Secretariat, Britain's Dame Rachel Crowdy, who was renowned for her efforts to organise volunteer corps of nurses during the World War I.⁷⁴ The Committee was the sole organ responsible for advising the Assembly and the Council on matters related to the traffic in women. After its creation in 1921, the ACTWC gathered in annual sessions, which consisted of several meetings.⁷⁵ In 1936, the ACTWC merged with other committees and ceased to exist as its own entity when the social work of the League re-organised itself.

2.4 Previous research

The present study brings its contribution to a body of literature on the first international anti-trafficking campaign and the League's efforts in coordinating it. The underlying interest of this study is in bringing more understanding of the way traffic has been conceptualised earlier and shedding light on the many nuances that link to the phenomenon. Thus, this study is also part of research on human trafficking more generally. Finally, as the earlier parts of this chapter illustrate, historical understanding of trafficking intertwines with prostitution. It comprises four pools: 1) research on selling sex 2) research on 'white slavery' and the early anti-trafficking efforts; 2) research on League in general; 3) research on the ACTWC. The extensive body of research on prostitution forms, therefore a starting point for approaching the concept of trafficking as a phenomenon, whereas the most relevant existing literature regarding this setting is from the fields of history, historical criminology and political science.

Historical records of prostitution are somewhat as old as records of human societies overall. Consequently, literature concerning the sex trade is abundant. Although the clandestine nature of the prostitution has perhaps been likely to invite hinder public discussion on it, concerns over matters of public interest, such as the spread of diseases, have encouraged addressing the issue. The biographies of current literature disclosure

⁷³ Knepper 2016, 53.

⁷⁴ Knepper 2012, 785; Pliley 2010, 94.

⁷⁵ References to the discussion of the ACTWC are marked with xSxM yyyy, where the first number (x) indicates the session and a second number indicates the meeting, and the yyyy the year of the session. In addition, the references indicate whether the document was minutes of the report since for most years both were available.

rather large body of literature from the eighteenth and nineteenth centuries – although the writers behind these records were typically experts of the medical field.⁷⁶ Nonetheless, it appears that until four or five decades ago, prostitution was not a highly regarded research topic among the mainstream of historians. Although earlier robust historical research exists, it is limited in number. Gilfoyle considers the 1980s as a period when historians' interest in prostitution shifted. Before that prostitution had carried somewhat sensational tone with it and the rather small group of historians who covered it paid attention mainly to social movements, ideas, red-light districts and campaigns to either control or abolish prostitution. Furthermore, the majority of the research focused on the Anglo-American world and relied on published sources.⁷⁷ Gradually, the scope broadened to include the context of labour and economic development and research with applied methods. The use of applied methods relates to the rise of “the new social history”, which emerged around the 1960s and 1970s and entailed an increased interest in lived experience. Around the 1980s, the amount of research ballooned. Gilfoyle divides this enlarged body of literature roughly into two branches: one which represents quite typically social and women's history, and another one, which focuses more on the interpretation of prostitution, and hence is more associated with cultural history. Although these new emphases approached prostitution differently than “traditional” history and its understanding of prostitution, they rather enriched the current understanding of prostitution than undermined it.⁷⁸

Today, historians continue to cover aspects around prostitution that have remained rather untouched. The interest is in portraying a more complex view of prostitution and the elements surrounding it.⁷⁹ Lately research has sought to explain changes in the sex trade through patterns of consumption, leisure and tourism, in addition to alterations in labour relations, namely industrialisation. The new trends also encompass areas historians have typically researched, but which have remained lightly explored in from the viewpoint of prostitution, like questions connected state-building, colonialism, race and modernity.⁸⁰ These approaches diversify understanding of prostitution in the past and in the present.⁸¹ Simultaneously, the variety of ways to study the history of prostitution make it impossible to determine a narrow ‘predominant understanding’ of it. For labour

⁷⁶ One famous example of an ambitious survey on prostitution conducted by a physician is William Sanger's *The History of Prostitution: Its Extent, Causes and Effect throughout the World*, which was originally published in 1858.

⁷⁷ Gilfoyl 1999, 117.

⁷⁸ Gilfoyl 1999, 119–120.

⁷⁹ Norberg 2017, 196.

⁸⁰ See e.g. Remick 2014 and Sippial 2013 for prostitution in the context of state building and modernity.

⁸¹ Nordberg 2017, 188–192.

and economics, the sex trade is a very different issue than in the context of the history of sexuality. This study continues primarily with the traditions of feminist history and women's history. This study continues primarily with the traditions of feminist history and women's history.⁸² The choice is more practical than principled one, as these approaches address prostitution or trafficking in a context that is most relevant for the research problem – which is intelligible noting that trafficking is highly gender-specific.⁸³

The body of literature on trafficking as a phenomenon is miscellaneous as the topic been a target of diverse academic interest, especially during the past few decades. Human trafficking lies in an intersection of several broad themes, most namely individual human rights, transnational and organised crime, migration, labour, security and prostitution or sex work. In consequence, it has the body of scholars who have studied it represent, namely political science, history, law, gender studies, sociology, medicine and economics. The increase of scholarly interest in human trafficking is manifested namely in the establishment of new journals on the topic, of which *Journal of Human Trafficking*⁸⁴ covers a wide range of scholarship related to traffic. The various angles from which academia can approach this multidimensional issue has enriched general understanding of the phenomenon but may also be the reason there seem to be very few commonly agreed statements on the matter. From research on human trafficking as a phenomenon, this study is especially indebted to is Venla Roth, whose work includes a detailed description of the development of definitions of human trafficking.⁸⁵

The initial inspiration for this study came from the literature on the first international anti-trafficking campaign. One of the first sources that sparked interest in the interwar movement against trafficking was from Paul Knepper, who has studied the emergence of transnational crime from the viewpoint of historical criminology. Knepper's work represents the earlier literature on international campaigns surrounding trafficking in women and the League of Nations' efforts in developing the first extensive international reports on the matter.⁸⁶ He has argued that the first movement to end trafficking was concerned with trafficking primarily as crime, instead of, for example,

⁸² As the name suggest, feminist history is generally understood as a branch that is connected to feminist perspectives. Women's history, in turn, was born to highlight women's perspective and experience in response to the perceived male-oriented tradition of history. Whereas some scholars use the terms almost as synonyms and the approaches often overlap, it can be argued that feminist history does not necessarily promote women's experience – and that women's history is not always connected to feminist views.

⁸³ See Aronowitz 2017 for empirical discussion on perspectives to victims.

⁸⁴ *Journal of Human Trafficking* (by Taylor & Francis) was established in 2015 and publishes diverse scholarship covering a wide range of matter related to the traffic.

⁸⁵ Roth 2011.

⁸⁶ See Knepper 2009, 2010, 2012, 2013 and 2016.

human rights issue.⁸⁷ Stephanie A. Limoncelli, in turn, represents a somewhat differing viewpoint with her study on the internationalisation of prostitution and the emergence of sex traffic as a social issue. Limoncelli's work also includes research on the different branches of activist anti-trafficking movements, namely purity reformers aiming to strengthen the state regulation of prostitution, and feminist abolitionist, aiming at ending the system of regulation entirely.⁸⁸ Previous research has also touched upon the ideological tones of the early twentieth-century anti-trafficking. Such views are covered, namely by Jo Doezema, who has studied discourses of white slavery and trafficking.⁸⁹

The League has been studied widely from very early on after its creation. There is a considerable amount of research and guidebooks on the League as an organisation from several decades.⁹⁰ In addition to these studies, the traditional outlook on the League includes studies on the League's efforts in specific instances, namely on settling disputes. In addition to research on the organisation and its working methods, the League has been studied from a breadth of broader viewpoints. These vary from hopeful considerations on its possibilities to discussions on the reasons for its failure.⁹¹ In this sense, there remains a lot to be studied in and around the League. A branch of research, which has been increasing recently, focuses on the technical work of the League. As trafficking in women, was part of the League's social section, the present study falls under this category, close to the work of Jessica Pliley. She has studied the abolitionist agenda with the work of the League of Nations in the interwar period from the viewpoint of women's history.⁹² Additionally, Magaly Rodriquez García and Julia Laite represent similar contributions from historians with a focus on the efforts of the ACTWC.⁹³ Another scholar of history whose work provides insight on the internationalist origins of the League's combat against the traffic is Daniel Gorman.⁹⁴ It is safe to say, that previous scholarship covers various viewpoints on the League's anti-trafficking efforts. However, there appears to be a hole in scrutinising the way the ACTWC understood and conceptualised the traffic.

⁸⁷ Knepper 2009, 2-3.

⁸⁸ Limocelli 2010.

⁸⁹ Doezema, 2000.

⁹⁰ See e.g. Walters 1952; Northedge 1986; Henig 2010.

⁹¹ On the latter, see e.g. Eloranta 2010.

⁹² Pliley 2010.

⁹³ García 2012; Laite 2017.

⁹⁴ Gorman 2008.

3 THEORY AND METHODOLOGY

After undergoing the background for the research questions, it is time to discuss means for answering them. The underlying interest of this study is analysing how the ACTWC conceptualised the ‘traffic in women and children’. The analytical approach is, hence, conceptual and keen on ideas, whereas the overall study is a combination of interpretation and explaining. As a first step into discussing the theoretical framework of the present study, this chapter outlines the debate on selling human and problematising traffic. The five key problematisation the present study builds upon are prostitution as a form of exploitation, migration, human rights abuse, security and organised crime. They serve as the foundation for the conceptual analysis. However, the actual theoretical framework builds substantially upon the study of the English School of international relations. Although the research outlook has links to constructive tradition as well, the ACTWC’s anti-trafficking work relies mainly on the idea of international society. Furthermore, the latter part of this chapter presents the choice of methodology for my study, which is a combination of the approach of conceptual history and structure of content analysis.

Before proceeding to discuss the theoretical aspects in more detail, it is at place to make a notion on how the present study positions itself in the debate over the role of theory in historical research. This debate has been a source of extensive discussions among historians. It is rooted in the division between historians and theoretically oriented sciences, namely sociology. The differences have been apparent since they emerged as disciplines, which, in some sense, trace back to the nineteenth century.⁹⁵ The primary task of sociologists to explain general phenomena derived fundamentally from the historians’ concern with particular circumstances. Among historians, the two extremes of the debate are empirics and postmodernist ones, where the first one views history as a science of knowing and the latter as a science of interpretation. This study represents thinking where no research is free from theory. Nevertheless, the stance is far from the radical post-modernist or relationist end, which altogether rejects the idea of ‘truth’. Echoing Mary Fulbrook’s thoughts in her book *Historical Theory*, this study seeks to be ‘theoretically aware’.⁹⁶ In other words, it regards theoretical interpretation as a somewhat inescapable part of doing research, and therefore employs theoretical conceptions openly. However, despite its conceptual emphasis, the present study would not go as far as to state that equally competing, subjective and endlessly relative interpretations are all that research

⁹⁵ Claus & Marriot 2014, 324.

⁹⁶ Fulbrook 2002.

can achieve. The aim is to conduct a line of reasoning, which produces conclusions others can evaluate based on the made choices and serves to interpret and explain its topic.

3.1 Problematising trafficking

Carefully considering concepts connected to the topic of interest is a vital part of any research. For this research, understanding of the most vital concept, ‘traffic in women and children’, is a crucial part of the research problem and will be part of the conclusion rather than this part of the study. However, trafficking, in general, is a broader concept, and discussing it here supports the analysis by offering a basis for reflection. Moreover, human trafficking appears increasingly in everyday language, and the term may, therefore, carry connotations that are not automatically in line with the understandings relevant for this study. That is not to say that there was an unambiguous definition even within academia, as trafficking is far from a clear-cut phenomenon. Diversity of view is, of course, richness, too, since it reflects the vast number of angles from which studying this multidimensional phenomenon is necessary.

Today, the practice of trading humans is called ‘trafficking in human beings’, ‘human trafficking’ and sometimes ‘trafficking in persons’.⁹⁷ Whereas the first international conventions on trafficking came to force at the beginning of the twentieth century, the adoption of the first common definition came about only in 2000 with the UN Trafficking Protocol. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as it is officially called, is one of the three Palermo Protocols, which came to supplement the United Nations Convention against Transnational Organized Crime. In summary, this definition requires fulfilment of three elements: the criminal act, the mean used to commit the very acts and the purpose of various forms of exploitation. The last element is in clear contrast to the early understanding of trafficking as a problem particularly connected to prostitution.⁹⁸

⁹⁷ ‘Trafficking in persons’ appears a little less frequently in academic literature. It is still accepted and known as the version used in one of the most prominent annual reports on the matter (Trafficking in Persons Report or TIP Report) published by an agency of the United States State Department, the Office to Monitor and Combat Trafficking in Persons. For the sake of clarity, in this study, plain ‘trafficking’ refers to the matter in general, and ‘human trafficking’ refers to the current understanding of the phenomenon.

⁹⁸ According to the Article 3 of the Protocol ‘trafficking in persons’ “shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” United Nations 2000.

⁹⁸ Gerassi 2015, 81.

Adoption of a common international definition is a considerable achievement since the lack of such definition was as a major setback for the earlier anti-trafficking efforts. As of 27 April 2020, altogether 176 parties have ratified the UN Trafficking Protocol.⁹⁹ It constitutes an essential counter-trafficking instrument in Europe, alongside the European Union's legislative acts harmonising its Member States' criminal laws.¹⁰⁰ The Protocol also lays the foundation for establishing trafficking by setting obligation to state parties, including criminalising trafficking.¹⁰¹ In addition to streamlining international co-operation on addressing the problem, it then promotes the legal basis for combating trafficking. However, the existence of a definition does not necessarily translate into the absence of conceptual differences, problems with interpretation and conflicting understandings around trafficking. As Roth notes, questions on what human trafficking truly is are have still to unanswered. Questions remain especially in trafficking's connection to other phenomena. This ambiguity causes many potential victims to remain outside of the mechanisms international, and national legislation would provide to them.¹⁰² Therefore, the relevance of questions addressing the unclarities around human trafficking goes way beyond semantics.

Answering these questions has been attempted through various conceptions. Claudia Aradau has dealt with different angles of human trafficking with a versatile approach in her book *Rethinking Trafficking in Women*.¹⁰³ Although the book is over a decade old and does hence not represent the most updated scholarship from this quickly expanding field, her way of treating the issue has remained topical. Following Aradau, it is possible to problematise trafficking as a problem of 1) migration; 2) organised crime; 3) prostitution; 4) human rights abuse; 5) security. Her driving allegation is that research on trafficking has tended to neglect the latter, even though (illegal) migration,¹⁰⁴ organised crime and prostitution are embedded in the problematisation of security.¹⁰⁵ These five elements enable reflections the given and delivered perceptions of 'traffic in women and children'. Thus, they guide the conceptual approach of this study. The angle of prostitution is likely to appear the most in the data since it was the primary form of exploitation in the conceptualisation of 'white slavery'. However, in addition to reflecting

⁹⁹ United Nations Treaty Collection. 27 April 2020.

¹⁰⁰ Roth 2012, 66.

¹⁰¹ Roth 2012, 67–68.

¹⁰² Roth 2012, 14.

¹⁰³ Aradau 2008.

¹⁰⁴ It is important to note, that illegal migration or smuggling can be connected to trafficking, but recent research support caution in treating these two issues as automatically interlinked.

¹⁰⁵ Aradau 2008 36–37.

on these angles in separation, it is interesting to see how they interact. For example, the current understanding emphasises connections to security and migration, which is also a heated political question. The angle of organised crime also comes close. Scholars of criminology note that trafficking is “almost by definition a transnational crime; the profit for the trafficker lies in the difference in opportunities between different countries”.¹⁰⁶ In addition, the analysis will consider a few other elements that are essential areas or attention when considering trafficking from the viewpoint of crime. These include the means a victim was recruited, the possibility that corruption of public officials helped facilitate trafficking and most importantly, the victim’s awareness of being in risk of becoming trafficked.¹⁰⁷

Finally, although Aradau’s five elements represent the essential angels of trafficking, it is in order to note that there is one aspect she has left out. One divisive question on human trafficking is the connection to slavery. For example, Lee presents a similar list of five various conceptions on trafficking, with the exception that instead of security, the list includes slavery. This conception builds on a view that the manner, in which vulnerable human beings are exploited and used as commodities in trafficking is parallel to slavery, even though trafficking does not include long-term enslavement such as legal ownership of one person by another.¹⁰⁸ The reasoning finds expression in the language of ‘modern slavery’, which some scholars employ.¹⁰⁹ However, it appears that the connection between traditional slavery and modern slavery is mainly a rhetorical one. Thus, the present study does not regard trafficking through the conception of slavery. The notion that considering slavery and trafficking in connection to each other was not very common in the interwar period supports my choice. Although slavery and trafficking were both addressed as part of the League of Nations’ technical work, these two questions had their separate bodies which hardly ever cooperated.¹¹⁰

In her book *Defining Human Trafficking and Identifying Its Victims*, Venla Roth discusses two contradicting positions in the discussion around prostitution and trafficking, which scholars and policymakers alike have debated. Although her focus is not on feminist theories but the debate around trafficking in general, these two views resemble the neo-abolitionist and sex-positivist camps closely. According to Roth, the most evident dividing line is defining how to define trafficking for the purpose of sexual

¹⁰⁶ Bunt & Siegel 2003, 3.

¹⁰⁷ Aronowitz 2003, 88–93.

¹⁰⁸ Lee 2007, 3–10.

¹⁰⁹ See e.g. Bales 2005; Bales 2012; Jansson 2015

¹¹⁰ García 2012, 108.

exploitation in relation to prostitution. She distinguishes these views as the ‘sexual dominant position’ and the ‘sex work position’, recalling that these categories are simplified, in order to clarify the main difference between the two. In the “sexual dominant position” prostitution is seen as a human rights violation, as a form of slavery, as gender-based (sexual) violence and discrimination.¹¹¹

According to the “sex work position” in contrast, violence against women may occur in the context of prostitution, but not all prostitution is violence against women. This position has emerged to contest existing prostitution laws and policies, by prostitutes themselves as well as organisations and movements advocates for sex workers demand self-representation. This position refers to feminist values, such as women’s right to work and become economically independent.¹¹² Ultimately the difference culminates in voluntariness of prostitution. Roth describes the views of each group in more detail as follows: Proponents of sex the work position maintain, that the decision of an adult woman to engage in prostitution must be respected. Even if a woman ends up in prostitution due to unequal distribution of wealth, she should be allowed this choice of earning a livelihood by marketing her body and labour. Proponents of the sexual domination position, in turn, question the presence of free will in such circumstances, since they stress that prostitution is a result of gender inequality, inherently violent and abusive.¹¹³ Catherine MacKinnon, who is an influential proponent of this position, has compressed this concern in one question: “If prostitution is a free choice, why are the women with the fewest choices the ones most often found doing it?”¹¹⁴

Roth also describes the presence of this debate in negotiations of the UN Trafficking Protocol of 2000. In the negotiations of the Protocol, discussions around sex work were especially crucial to non-governmental organisations, although state governments were somewhat divided on the question as well. Some organisations distinguish “forced” prostitution and trafficking for the purpose of sexual exploitation from “voluntary” prostitution, whereas other deem all prostitution as sex slavery and “incompatible with human dignity”.¹¹⁵ In other words, those promoting prostitution as work demand that an individual has the right to sell her body even if circumstances fail to provide for meaningful options. Contrasting view maintains, that since there is no room for an actual choice, prostitution is inevitably a violation of human rights.

¹¹¹ Roth 2011.

¹¹² Roth 2011, 24.

¹¹³ Roth 2011, 22–25.

¹¹⁴ MacKinnon 1993, 28.

¹¹⁵ Roth 2011, 19.

3.2 The English School

Trafficking and ideas concerning it lay in the core of this study's interest. However, the setting is an equally important part of the research problem. As there are many ways to problematise traffic, there are many ways to examine anti-trafficking efforts. Here the focus is on the work that took place in the auspices of the League of Nations social undertakings. Thus, scholarship on international organisations is a natural choice for a theoretical basis. The more specific choice of framework stems from the other components in the research problem. The framing also takes into account the activity against 'white slavery', which expanded from local campaigns into an international movement simultaneously as the League took over coordinating their efforts. Hence, the most suitable choice is a theory which gives weight to the role of international society: the English School of international relations. As the boundaries of this School can be a bit hard to draw, this chapter will briefly discuss its location within the study of international relations before presenting the theoretical framework of this study in more detail.

Study of international relations first emerged as a research field after World War I although it draws from a long line of thought. The scholarship on international organisations (IOs) and international institutions (IIs) are a central part of the field. Whereas definitions of IOs and IIs have differing emphasis depending on a tradition, the fundamental difference is that an organisation refers to an entity, and institution to rules.¹¹⁶ The English School typically employs a rather broad understanding of institutions, as social rules, practices, conventions and usages.¹¹⁷ Theories on IOs and IIs divide into several traditions, typically realist, rational functionalist and constructivist.¹¹⁸ Out of these three, the English School closest to the constructivist tradition, which is most critical towards materialism as a starting point of analysing international relations and, hence, compatible with the conceptual research approach of this study. In contrast to realist or rational approaches, constructivists open relevant actors and their interests for interpretation. Whereas the realist school's explanatory power covers the interaction of national interest and power in the international system on the basis of states concern in their security, and rational functionalism's strength is in explaining creation and of IOs

¹¹⁶ Cf. Groom & Taylor 1978, who reckon that IO refers to the presence of a system or pattern, the fact that behaviour is not random but has an element of repetition to it, II refers to the structure by and through which these systemic functions occur. Groom & Taylor 1978, 12.

¹¹⁷ Martin & Simmons 2012, 334.

¹¹⁸ See Martin & Simmons 1998; Marting & Simmons 2012.

and IIs and the form they take, constructivist approaches are appropriate for enlarging on IIs ability to create, reflect and disseminate intersubjective normative understandings.¹¹⁹

All of these approaches have their notable characteristics, and there is no reason for treating them as mutually exclusive (other than disciplinary politics, which I yearn not to take part in at least on my current level of academic activity). For example, the description of the origins of the League in the previous chapter borrowed clearly from functionalist logic with inherent realist tones. However, presenting reasons for the particular choice of framework is appropriate. Whereas constructivism does accompany the conceptual approach with its high interest in ideas, it is also concerned with aspects which do not bring meaningful added value to the present study, such as metatheoretical correctness and explaining causality. The English School, in turn, avoids harsh dichotomies, such as realism versus idealism or explanatory versus interpretative.¹²⁰ Similarly, to the objective of this study to combine history and theory, the English school is marked by theoretical ambition as it rejects the need to choose only one. However, this leads to some level of unclarity, and the School has aroused confusion on where its boundaries lay. The fact that many scholars who identify with other traditions have engaged in the work of the English School only fosters this ambiguity. In some sense, the English Schools does represent the middle ground of international relations. In some sense, this supports claims that the English Schools represents the middle ground of international relations.

The present study does not dwell too deep into establishing the boundaries of the School. Instead, it builds its framework through the English School's central claim – that moral purposes ultimately guide the way international institutions regulate international norms, which in turn shape the practices of states.¹²¹ The same underlying rationale marks the School's interest in international society, which supports the suitability with the objective of this study. For the definition of *international society*, the present study relies on an often-used version from Bull and Watson:

“a group of states (or, more generally, a group of independent political communities) which not merely form a system, in the sense that the behaviour of each is a necessary factor in the calculations of the others, we mean a but also have established by dialogue and consent common rules and institutions for the conduct of their relations, and recognize their common interest in maintaining these arrangements.”¹²²

¹¹⁹ Martin & Simmons 2012, 330–335.

¹²⁰ Dunne 2011, 13.

¹²¹ Dunne 2011, 3.

¹²² Bull & Watson 1984, 1.

As Martin and Simmons note, this definition is quite state-centric. Some other pronounced definitions include more emphases, namely in cultural unity.¹²³ For this study, necessary loophole out excess focus on states comes from the notion that the system of international society can be formed by more general communities as well. Sovereign states are not the only members of international society. Dunne notes that examples of other members can include a diplomatic network of the Catholic Church and influential international nongovernmental organisations insofar as they have an advisory role for IOs or IIs or take part in drafting international treaties.¹²⁴ Although this list is not exclusive, it is noteworthy that all of these examples apply on the ACTWC, since the voluntary organisations that participated in its work had an advisory role, participated in the drafting and amending of international treaties and included Catholic associations.¹²⁵

The most opportune theoretical frame for considering the way the movement against trafficking conceptualised the vital issue of its work comes from Ethan Nadelmann's article 'Global Prohibition Regimes: The Evolution of Norms' in *International Organisation*.¹²⁶ The study regards the expanding of international society and the way some prohibiting norms evolve into *global prohibition regimes*. These norms have a prohibiting effect both through conventions, treaties legislation (both international and national) and in implicating rules and patterns which impact the action of states and nonstate actors as well as individual moral principles.¹²⁷ The *regime*, in turn, is another typical concept for this field of study, which scholarly on IOs and IIs earlier applied in somewhat similar meaning as our definition of an institution. In other words, in Nadelmann's thinking, some norms evolve into institutions or regimes, which then continue to shape the action on different levels. The emergence of a prohibition regime often comes from nongovernmental transnational organisations functioning as "transnational moral entrepreneurs", as Nadelmann calls them. These groups promote the regime comprehensively by mobilising public opinion, influencing governments and supporting like-minded organisations in other countries.¹²⁸

According to Nadelmann's theory, global prohibition regimes emerge in three to five stages. In the first stage, most societies still regard the targeted activity acceptable. The second stage entails redefining the activity as a problem. During the third stage,

¹²³ Martin & Simmons 2012, 334. See this reference also for more discussion on different emphasis on international society within the English School.

¹²⁴ Dunne 2011, 7.

¹²⁵ See Appendix III for the members of the ACTWC.

¹²⁶ Nadelmann, 1990.

¹²⁷ Nadelmann 1990, 479,

¹²⁸ Nadelmann 1990, 482;514.

proponents of the regime advocate actively for the suppressing and criminalising the activity and forming international conventions. The fourth stage follows only if the previous efforts prove successful: a global prohibition regime comes to existence, which demonstrates in criminal laws and comprehensive police action. This stage is also marked by the emergence of IOs and international conventions to take a coordinating role. Finally, during a possible fifth stage, the activity has significantly reduced or nearly vanished.¹²⁹

What makes this model so interesting for the present study is that one of Nadelmann's examples for a prohibition regime is the movement against 'white slavery', which in his view was mainly aiming at prohibiting prostitution.¹³⁰ While this view is not fully aligned with the view of this study, the model is still applicable for its purposes. Furthermore, the emphasis of moral purposes, which is typical to the English School in general and Nadelmann's model particular, suits well the nature of the research problem. The theoretical framework serves as a directing rationale in approaching the discussions in the ACTWC as a part of an emerging anti-trafficking institution.

3.3 Conceptual History

All of the main questions of this thesis pertain how the actors in charge of the League's anti-trafficking efforts viewed, framed and addressed trafficking in women. In order to gain such insight, it is necessary to analyse the data through a qualitative method that enables identifying differences in thinking. Conceptual history does this through enlarging on differences in linguistics. Thus, it offers an apposite tool for this study. Although conceptual history does not belong to a specific theory, it falls under traditions that emerged following the "linguistic turn", which has shaped social sciences and history alike since the 1970s. The emphasis on interpretation complements the similar tendencies of the theoretical framework. As an approach, conceptual history does not aim for flawless definitions or clear boundaries for complex ideas. Following thinking typical for the German school of conceptual history (*Begriffsgeschichte*), emphasising semantics, Bödeker has noted that conceptual history studies, in fact, the history of the reception of concepts. He bases his notion on the way one of the pioneers of this tradition, Reinhart Koselleck, differentiates words from concepts: whereas a word can have a somewhat stable definition, a concept has only conflicting interpretations.¹³¹ This separation is the fundamental rationale for conceptual history.

¹²⁹ Nadelmann 1990, 484–485.

¹³⁰ Nadelmann 1990, 513–516.

¹³¹ Bödeker 2011, 34; 29.

The relationship between words and concepts is such that a concept can be present even when a word is absent.¹³² This notion is crucial especially for the Cambridge school, which emphasises ideas. A representative of this tradition, Quentin Skinner, offers an example of an idea with the concept of ‘originality’; whereas it was central to thinking of many philosophers in the seventeenth century, even though the word entered the language over a century later.¹³³ Following the same train of thought, one could conclude that even if there is a word for a concept, the absence of word does not necessarily mean the absence of the concept. In the present study, this notion is used, namely in analysing whether the ACTWC’s problematised trafficking as a human rights abuse, even though the language of ‘human rights’ is not yet used. However, this logic could lead to reckless analyses, and, hence applying it calls for caution. Although concepts and words are not always linked, they do not exist on their own; they have connections to other speech-acts and texts. Thus, conceptual history analyses concepts as parts of a broader network of propositions, presentations and definitions. Separating a concept from its surroundings disables analysing its interaction with the ideational context.¹³⁴

Bödeker calls conceptual history a way of reading that recognises social and political context and as such, has a strong source-critical element attached to it.¹³⁵ This element illustrates the core of conceptual history as an attribute of historical interpretation means. What then, is the main objective in applying conceptual history as an approach? Following Skinner, the interest is in finding what examination of the changing meaning of words can reveal about the processes of political innovation.¹³⁶ In other words, differences in linguistic usage accompany differences in thinking.¹³⁷ Again, the references to linguistics may seem to imply a focus on words, but the focus here is on concepts behind the words. This depth makes conceptual history such a useful and abundant approach for historical and policy analysis. By looking into similarities and differences in used concepts and their relations to other concepts, it is possible to chart an actor’s positioning on the theoretical field, on-going debate or ideology. As Skinner puts it, if we want to find out how someone sees the world, we must look into the concepts they possess.¹³⁸

¹³² Freedden 2011, 89; Burke 2011, 108.

¹³³ Skinner 1989, 7–8.

¹³⁴ Freedden 2011, 74.

¹³⁵ Bödeker 2011, 26.

¹³⁶ Skinner 1989, 6.

¹³⁷ Bödeker 2011, 33.

¹³⁸ Skinner 1989, 7.

Of course, in addition to its opportunities, the flexibility of conceptual history comes with some pitfalls. Some of them are attached to qualitative research in general, namely that it is not best suited for providing clear and uncontested findings. The flexibility of the approach entails a risk of producing only research findings, which complement one's prejudgement. Conceptual history is highly sensitivity to choices, as the 'Mannheim's paradox' well illustrates: attempting to socially relative and non-evaluative conception of 'ideology', Karl Mannheim to came favour relativism.¹³⁹ One way of making the analysis more robust is making a clear differentiation between defining categories and subjects matter that are analysed. This helps to avoid a problem Palonen calls 'hopeless relativism.'¹⁴⁰ Overall, conceptual history offers tools for analysing complex development of thought and ideological disputes, but it also requires much caution from its user. This study combines conceptual history as an approach with content analysis, to make the analysis more systematic by instilling the observations and findings into the data.

3.4 Qualitative Content Analysis

Content analysis is a suitable method for enlarging on conceptual questions as it enables systematically describing the meaning of qualitative material. It can be used for quantitative or qualitative analysis, and there is no sharp line dividing these two.¹⁴¹ The former is used, for example, for quantifying the frequency in which specific words appear in a given data. While quantifying can be a useful aid also in qualitative content analysis, the main focus is on the verbal description of the data. This research uses mainly qualitative content analysis (QCA), although some simple quantitative exercises support the familiarisation with the data. QCA is a suitable method for analysing data which requires some degree of interpretation.¹⁴²

Unlike some other qualitative methods for data analysis, with QCA, the focus is not on describing the full meaning of the data or examining all possible aspects in it. Instead, this method serves to describe the data only in certain, specified respects.¹⁴³ In other words, QCA's approach to the data has its basis on the research problem. This element makes it the best choice for the present study, which is interest in only rather specific conceptual aspects out of the rich body of discussion had in the ACTWC. An additional reason for this choice of method is that, as the name suggests, QCA is interested in the

¹³⁹ Freedden 2011, 80.

¹⁴⁰ Palonen 2011, 180.

¹⁴¹ Schreier 2012, 15.

¹⁴² Schreier 2012, 2.

¹⁴³ Schreier 2012, 3–4.

actual content of the communication, which differentiates it from similar methods that study the process of communication, such as discourse analysis.¹⁴⁴ This tendency enables analysing texts as an illustration of reality and is useful in finding meanings from communications. Sometimes this tendency has been seen as opposing to research that aims at a realistic description of the past.¹⁴⁵ However, since this study represents a view where historical research is not a search for one truth, but the interest of this study is in analysing and discussions that guided the beginning of institutionalised anti-trafficking efforts in the interwar period, the method is a suitable tool for analysis.

Conducting an analysis with QCA is a process of coding and categorising. The method is usable for inductive, deductive or abductive analysis designs. The basic idea is that the observations from the data are reduced into sub-categories, which will be clustered into broader categories for an unpremeditated number of rounds until the categories are connected to the research questions. The final stage of content analysis is the abstraction, which will be followed by the conclusion. In deductive analysis, the categories follow the theoretical framework, while inductive and abductive analysis form the categories based on the data. What differentiates abductive analysis from inductive in practice, is that in the abstraction stage, the observations are connected to existing theoretical concepts.¹⁴⁶ In this study, I apply the method somewhat abductively so that the research questions guide the beginning of the analysis. The latter part of the analysis, in turn, connects the findings with existing theoretical concepts. In between these two points, the analysis does, however, take a slightly inductive approach. The specific phases of conducting analysis in the present study are part of the next chapter.

QCA does not in itself offer a technique for drawing conclusions. This shortcoming is a legitimate reason for critique, as it sometimes results in unaccomplished researches. On the other hand, once acknowledged, this can also be an asset, as it enables the use of this method for various purposes. For the present study, the combined methods complement each in this respect, too, as conceptual history provides a useful tool for concluding the analysis. The methodical choice in this study can be best summarised by saying, that the structure of the analysis derives from QCA, whereas the general approach to the data and concluding the findings follow the guidelines of conceptual history.

¹⁴⁴ Miles & Huberman 1994, 7; Tuomi & Sarajärvi 2018, 53–54.

¹⁴⁵ Tuomi & Sarajärvi 2018, 117.

¹⁴⁶ Tuomi & Sarajärvi 2018, 122–127, 133.

4 DATA

Before turning applying the methods described above, it is necessary to lay the groundwork for analysis by assessing the data. The three aims of this chapter are to 1) present the minutes and reports of the ACTWC's meetings in 1922–1932, which form the data of the present study; 2) assess their suitability for this purpose; 3) outline the basic information concerning the work of the Committee. The chapter begins by presenting the archive documents chosen as the data. Then it considering their strengths and weaknesses. Finally, the chapter concludes by providing basic information on how the ACTWC operated, to foster the analysis in the following Chapter 5.

The primary data of this study is in its entirety public documents from the Archives of the League of Nations in Geneva, recording the work of the ACTWC. Working with archive data was a natural choice since the research questions concern a period in the distant past. Luckily, the availability of necessary data from the interwar period is commendable as international organisations such as the League of Nations tend to produce a considerable amount of material. Choosing the data from a breadth of possible and publicly available sources necessitates self-restraint and background work from the researcher – especially since working with old documents can be quite labour-intensive. Although the availability of the most absorbing or useful material may still pose a challenge, the more pressing question is typically refining and defining what is relevant for the study in question. For this study, the data comprises minutes and reports recording the work of a body the League of Nations appointed to counsel its main decision-making organs on issues related to the traffic in persons.

Starting in 1922, the Committee gathered in annual sessions, which the Permanent Secretariat recorded in reports and minutes. The reports include orderly records of the composition of each session, clear notions on what the Committee agreed upon and main points of discussions. The minutes describe the same information in more detail, including notions on internal disagreements, results of votes and annexes. Remarkably, the minutes are not verbatim records of each contribution but a written-out account of what was said. At times the choice of words seems to diverge from a rather diplomatic language of the minutes in general, which could indicate a direct quote, as is this example from the data demonstrates (potential direct quote marked in italics):

“Dr Luisi (Uruguay) stated that Uruguay would have no difficulty in accepting complete abolition. The Law of 1927 was in conformity with the Committee's resolution of last year. She failed to understand the distinction made between national and international traffic. *The evil had to be stamped*

out wherever it existed. She was also in favour of the Committee adopting an unconditional recommendation.”¹⁴⁷

However, due to the lack of quotation marks, there are no means for verifying whether the speaker or the person recording them chose the exact words. Considering any statements recorded in the minutes as direct quotations could, therefore, be misleading. The redeeming feature of this is that unlike verbatim reports, which typically include each contribution in the original language, the minutes and reports are available entirely in English. Analysing them is, hence, rather straightforward.

Whereas it was clear that the documents of the ACTWC are essential for answering the research questions, their sufficiency was another question for consideration. Would they offer an adequately broad view of the League’s stance on the issue of trafficking? For example, there is no basis for assuming that the main constitutional organs would always follow the recommendations of advisory committees. In order to gain a comprehensive understanding of the discussion had in the League’s about combat against traffic in women, it would be advisable to familiarise with the documents from other bodies as well. One exciting alternative would be the Special Body of Experts, which was created following the ACTWC’s recommendation to investigate the extent of trafficking in women and children. Another one would be the Advisory Committee of Experts on Slavery, which was appointed in 1932 to study questions related to abolishment on slavery.¹⁴⁸ Overall, the choice would be abundant from the Annual Reports prepared by the Secretariat, records of the Council and Assembly or reports of non-recurrent international events that could offer further insight into the League’s efforts against traffic in women. However, for this study, including all of the mentioned materials was not feasible. Since the minutes of the Committee’s session are detailed and include notions on relevant communication with the Council and the Assembly and the ACTWC was the only advising body in charge of questions related to the traffic, it is reasonable to leave the other sources for future studies.

This study represents a new branch of historical research in the sense that it has not required a single visit to an archive in person. This was made possible by the admirable ongoing efforts to digitise the entire League of Nations Archives during 2017–2022.¹⁴⁹ Although the prevailing trend of brining major archives in digital form comes with obvious benefits, namely increased accessibility, utilising digitised archives has potential

¹⁴⁷ 11S5M 1932, 8.

¹⁴⁸ League of Nations 1945, 67.

¹⁴⁹ The United Nations Library Geneva and United Nations Office for Project Services undertook the project in celebration of the 100 years of multilateral diplomacy in Geneva.

pitfalls as well. For example, it is rare that digitalised archives cover the whole collection and trusting merely on digital archives may lead to potentially valuable sources to escape one's attention.¹⁵⁰ As the efforts to digitise the League of Nations Archives as still ongoing, risk of disregarding useful material was a relevant concern for this study as well. A practical way for avoiding this problem while working with the material from the League of Nations Archive is to carefully examine the Catalogue of the Archive, which describes the collections as a whole, or various guides for the League's documents. The Catalogue mentioned some documents that seemed relevant for this study but did not yet appear in the digitised archive. Luckily, most of them proved to be available upon a request. Following an email exchange, the Archivist of the League of Nations Archives in Geneva kindly provided the necessary documents in digitised format through an individual file in the Archive's cloud service.

Assessment of the data is a crucial part of any research process. Suitability and limitations of the data for the planned purpose are especially important when the data composes of pre-existing material – as is the case with this study. The material becomes a source only when the researcher uses it as a source. Therefore, the researcher has to assess the reasons the material was assembled. The nature of the documents is quite intelligible: preparation of the reports and minutes of the ACTWC was for the fundamental reason that was recording the Committee's work. The participant of the meetings approved the minutes and the reports after every session. Following each session, the Secretariat distributed them to the Council and the Members of the League. The documents and the sessions themselves were, however, open for the public as well. Consequently, the documents, including their annexes, do not include personal information of the victims of the traffic, even when they handled specific cases. Publicness may also imply that the contributions made were not as forthright as they perhaps could have been behind closed doors. In general, one would expect the language used in such a meeting to be complementary. Some researchers, examining other documents of the League of Nations, have noted the lavishness of the language and that in many occasions quite little is said.¹⁵¹ Evasion does not seem to be the case here. Although the language was generally diplomatic, the discussion occasionally includes quite sharp exchanges of views. This boldness could be a consequence of the fact, that the Committee composed of relatively few and permanent Members, each in a high

¹⁵⁰ Claus & Marriot 2014, 378.

¹⁵¹ Sallinen 2013, 42.

position in the party they represented, which would suggest that the conversation was among experts of the matter.

Suitability of the data for the planned research is another question. The present study treats data both as indicators and evidence of the ACTWC's work. Since the data is naturally occurring, it is well-suited to serve as indicators or indirect evidence of the prevailing view on traffic in the interwar period. It is also an essential source of information on the League's efforts in combating traffic in women, and hence suitable to serve also as evidence of the Committee's work. As the documents are not verbatim records of the conversations as is therefore not be the most fruitful choice for strictly linguistic analysis. It is, however, detailed enough to enable analysis on issues such as general ideas and conceptual connections that the Members of the Committee associated with the traffic in women, or that the Assembly and Council asked them to comment.

A few words on the more the factual oriented assessment of the data are also in place. For this study, the data appears somewhat reliable. Since the documents are from the official archives, it is reasonable to have trust in their authenticity. There are no grounds for assuming that the documents would include coarse factual mistakes regarding the work of the ACTWC. It is, of course, possible, that some documents and reports the Committee handled would include information that does not appear factually correct. However, as this study is not keen on studying questions such as the extent of trafficking, potential mistakes in the material the Committee handled to no meaningfully impact the reliability of this study. Overall, critical attitude towards the data is a continuous part of the analysis.

Before moving to analysing the data, it is in place lay the groundwork for the upcoming analysis by presenting the most important elements describing the ACTWC's work during 1922–1932. In its first meeting, the Committee elected a chairman and approved the rules of procedure. According to the Legal Adviser present in the meeting, the draft Rules of Procedure – to which the ACTWC made only minor modifications – were quite standard and were based on those of other similar committees appointed by the League.¹⁵² What was exceptional, in contrast, was that the ACTWC included a broader representation of women than any other Committee of the League. Unusually active participation of women was considered necessary as the question the Committee dealt with required the fullest cooperation of women.¹⁵³ One question that arose in approving the Rules of Procedure concerned adding a separate article on the scope of the

¹⁵² See Appendix IV for the approved Rules of Procedures.

¹⁵³ 1S1M 1922, 4.

Committee. The Legal Adviser present in the meeting continued to explain that the Committee's objective was making recommendations to be examined by the Council of the League. This debate on the objective and mandate of the ACTWC continued throughout its work.

The nine original state members of the ACTWC were Britain, Denmark, France, Italy, Japan, Poland, Romania, Spain and Uruguay.¹⁵⁴ In addition to the state members, the Committee consisted of assessors, or voluntary organisations, who represented vital international organisations. As agreed in Article 3 of the Rules of Procedure, the assessors held the same rights as members in all other situations than voting. The five original assessors were *l'Association catholique internationale des œuvres de protection de la jeune fille* (the International Catholic Girls' Protection Society), the Women's International Organisations, *Fédération des unions nationale des amies de la jeune fille* (International Federation of Girls' Friendly Societies), the International Bureau for the Suppression of Traffic in Women and Children (IB) and the Jewish Association for the Protection of Girls and Women.¹⁵⁵ The assessors took part in the discussion actively, and the ACTWC spent a considerable amount of the time from every session in discussing the reports each Organization had prepared. These reports were of particular interest to the Committee. Especially at the beginning of its work, the international aspects of traffic in women rested still heavily on civil society actors. While Governments provided valuable input for detecting the extent of trafficking based on their internal observations, the practical understanding of the underground phenomenon and especially of the cross-border elements intertwined in the traffic in women came from the Organisations that had worked with the issue for years. Their reports often included some figures, which were naturally indicative, yet served in forming a conception on the scope of the underground issue. Furthermore, the voluntary organisations held valuable information on cooperation from the part of trade and industry.

There were a few changes in memberships during the time frame concerned. Changes occurred officially following a decision from the Council. The initiative could, however, come from the ACTWC's side too. Already in its first session in 1922, the Committee discussed recommending to the Council that Germany and United States should be invited to appoint members to serve on the ACTWC since both countries had manifested interest towards the issue of traffic in women. Although the United States never joined the League, it took part in technical committees and appointed a

¹⁵⁴ See Appendix III for a full list of the Committee's members in 1922–1932.

¹⁵⁵ Pliley 2010 and Miller 1992 discuss the history of these organisations in more detail.

representative by the next session.¹⁵⁶ The first time Germany had a representative in the Committee was five years after the invitation in 1927. This was interesting, since Germany had a representative in the Advisory Committee on Traffic in Opium that was parts of the same social section already at the time of the invitation to join ACTWC.

The Committee's official name changed a few times from its original name Advisory Committee on Traffic in Women and Children. In 1925, its name was Advisory Committee on the Traffic in Women and Protection of Children. However, already next year the name Advisory Commission for the Protection and Welfare of Children and Young People: Traffic in Women and Children Committee. These changes had only minor impacts to the actual work of the Committee: sometimes it would have a joint session with the Child Welfare Committee, other times the cooperation took place through separate sessions. Although outside of the time frame of this study, it is worth noting that a bit larger change occurred in 1936 as the Committee became a part of new more extensive body Advisory Committee on Social Questions.¹⁵⁷

The ACTWC did cooperate with other League bodies throughout its existence. A body of the League that took part in the ACTWC's work most actively was the International Labour Organisation (ILO). There appeared to be in mutual understanding among these two bodies over the connection between trafficking and labour matters. The Committee also exchanged views with different bodies involved in migration and national authorities. Interestingly, it appears that in the League of Nations, the issue of trafficking in women was treated entirely separately from slavery. These two matters each had own advisory bodies, which appear to have refrained from cooperation. According to García, the League's experts on traffic differed from many activists in their reluctance to treat traffic as a form of labour as identical to slavery. Correspondingly, the League's Advisory Committee of Experts on Slavery made no references to cross-border traffic of women.¹⁵⁸

¹⁵⁶ In addition to this committee, the United States participated in committees concerned with disease, opium. Knepper 2012, 785.

¹⁵⁷ League of Nations 1945, 65–66.

¹⁵⁸ García 2012, 108.

5 ANALYSIS

The present chapter covers the analysis from familiarising with the data to findings. Paraphrasing Alasuutari, it can be said that qualitative analysis is composed of two components: reducing observations of the data and solving the mystery these observations pose. In other words, the analysis begins by breaking the data down into observations, and then these observations are refined into a single entity through careful interpretation. The ‘reducing’ of observations means studying data from a chosen theoretical and methodical viewpoint, which produces a set of raw observations. Then the number of observations is further decreased by conjoining them.

As this study is interested in a specific spatial and temporal setting, it represents idiographic research. In contrast to nomothetic research, which seeks to explain general patterns, ideographic research focuses on individual events or cases. While there are traditions within qualitative research in which this division is not necessarily clear or even sensible, historical research is often prone to adopt the idiographic approach.¹⁵⁹ This tendency has some implications on how the typical patterns of qualitative analysis serve historical research, including the present study. In idiographic qualitative research, the latter component, conjoining the observations, is typically less crucial. Thus, the process moves more forthrightly from raw observations to the second part of the analysis: solving the mystery.¹⁶⁰ Same applies to the study at hand as well. The analysis comprises two main phases: extracting observations from the data with the help of the theoretical framework and then refining further in order to compose a construction to answer the research questions. These two parts are interlinked.

The starting point for the analysis was close reading and comparison of the meeting agendas to familiarise with the minutes and reports. Furthermore, the familiarisation included simple quantitative exercises. Having a basic idea of the appearance of some key words helped in the early stages of planning codes.¹⁶¹ In practice, the coding took place in a Computer Assisted/Aided Qualitative Data Analysis Software (CAQDAS) called Atlas.ti. The benefit of such software is the practical help it can offer in handling extensive data. For the present study, the software proved useful in coding the data and combining the codes into categories. A reason for caution, in turn, is that this kind of

¹⁵⁹ Alasuutari 2011, 31–32.

¹⁶⁰ Alasuutari 2011, 32–37.

¹⁶¹ See Appendix VI for an example of how quantitative exercise which supported the early stage of familiarisation with the data. As the minutes of each session vary in length, number of appearances of potential key words does not in itself tell much of the discussions. Thus, the aid this type of exercises provided was limited. The did however, give confirm some of the notions from the close reading, namely the very few mentions of ‘boy’ or ‘boys’ compared the ‘girl’ or ‘girls’.

software may lead to an excessive focus on what is present in the data at the expense of negative evidence..¹⁶² Reflection with the theoretical framework, namely global prohibition regimes and the five ways of problematising trafficking, helped to avoid this problem.

Additionally, the familiarisation led to the selection of two cases as the beacons of the analysis. Two notions guided this choice: firstly, they appeared on the ACTWC's agenda repeatedly. Instead of picking occasional parts of the discussion, a thorough analysis of a few continuous debates seemed to be a more credible manner of analysing the vast amount of recorded discussions. Secondly, these cases seemed to have exceptionally robust connections to the research questions. The first case concerned amending existing international conventions and the second case, a new initiative of limiting regulated prostitution. The discussions around these two cases are telling samples of how the ACTWC framed trafficking. This chapter presents the analysis concerning each of these cases by outlining of discussions regarding them and then describing their content through analytical categories. These categories compose of the observations made based on open-ended coding. The last part of this chapter presents the final part of the analysis, which was formulating the case-specific categories into common main categories, dimensions. They also comprise the findings of this study in a form, which enables drawing conclusions in the following final chapter.

5.1 Two cases of conceptualising the traffic

The two cases or debates the analysis especially enlarges on are both telling sample of the ACTWC viewed trafficking. First of these cases concerned the desirability of eliminating the age limit from the international conventions of 1910 and 1921. The age limit meant the age, until which victim's consent was irrelevant for the punishability of trafficking. The aim behind analysing this debate was to enlarge on how the Committee treated women and children as groups of potential victims. Moreover, as this case touches upon consensuality, which is a central element in the debate around exploitation. The second case concerned abolishing the licensed houses. The system of licensed houses was part of state regulation of prostitution, which was in place in roughly half of the League's member states. The debate over licensed houses formed a central part of the Committee's discussions and demonstrates the experts' view on traffic's connection to prostitution. Therefore, it was connected to the question on whether the language of trafficking broadened the perception of trafficking to other forms than those sexual exploitation. As

¹⁶² Laajalahti & Herkama 2018, 94–95.

the analysis proceeded, this case proved to be closely connected to the nationality of the victims as well.

5.1.1 Should there be an age limit for the consent?

Setting an age limit in the definition of a victim was both a practical and a principled question. When the Advisory Committee began its work, existing Conventions made the traffic in women and children punishable in all cases where the victims were under 21 years of age – regardless of their consent. Punishment for trafficking of women over age was provided if the traffickers employed fraud, violence, threats or any other method of compulsion, or abused their authority. If, however, woman over 21 years of age consented to become a victim of traffic with full knowledge of the facts, the traffic was not punishable. The “age limit” mentioned in the documents concerned then setting a limit to the relevance of consent, not an overall age limit to a recognition of victim.

This question was in discussion already during the preparations of the early diplomatic conventions on trafficking. In the Convention of 1910, the limit of full age was set at 20 years and consent was irrelevant only when a victim was under age:

“Whoever, in order to gratify the passions of another person, has procured, enticed or led away, even with her consent, a woman or girl under age, for immoral purposes, shall be punished...”¹⁶³

Eleven years later in 1921, during the first International Conference held in the auspices of the League of Nations, participants took a vote on the removal of the words “under age”. The initiative came from the Netherlands delegation and gained support, but the majority in favour was not strong enough for carrying through the amendment. However, a notion was included in the Convention of 1921, signed during the same Conference, that in the future the words “under age” should be read “women and girls under 21 completed years of age”.¹⁶⁴ Although the age limit was not removed it was then raised by one year. This amendment created some reservations.

The question of age was mentioned only a few times in the early years of the Committee – typically by a representative of the voluntary organisations – and it was not actively discussed in the Committee prior to its sixth session in 1927. In that session the Committee had an especially interesting topic on the agenda: a Body of Experts, which had been appointed according to the initiative of the Committee to investigate the extent of traffic internationally, had submitted their report for the consideration of the

¹⁶³ International Convention 1910.

¹⁶⁴ 7S8M_minutes 1928, 38.

Committee. Out of the several suggestions this Body of Expert had made on basis of its empirical findings, it stressed the large number of minors included among the victims of trafficking and the necessity of appropriate legislative measures for addressing this alarming problem.¹⁶⁵ This notion lifted the proposal of framing of new or amending the existing conventions with respect to the age limit of 21 years on the agenda of the Committee. It was followed by several years of exchange of thoughts on possible options.

The Committee approached the matter with noticeable concern and handled it carefully. Two years after publishing of the Body of Experts' report, the Committee adopted a resolution stating, that "that the time has now arrived for further reconsideration of this matter" and requested the Council to authorise the Secretariat to conduct a questionnaire asking all governments to express their views on the proposed elimination of the age limit of 21 years.¹⁶⁶ Composure was in place, since national governments proved to be slightly divided and strongly puzzled by the question. Although the majority of the governments had agreed to the idea of removing the age limit, there was very little consensus on anything practical. The positions of the Government impacted the discussions in the Committee, as some Members deemed it sensible to focus on alternatives that were within the boundaries of national readiness. Others, in turn, maintained that the Committee's duty was to express an advisory opinion of the desirable direction of progress, regardless of the reservations of governments or parliaments.

Three years later in 1932, the situation remained similar on the Governments' side: whereas thirty responses were in favour of abolition, there was no general agreement as to the exact way in which this should be done. Countries had also different practices and legislations in place. The Committee, in turn, had discussed the matter enough to find a common view and had gotten mandate from the Assembly to draft the material content or scope of the changes it wanted to propose.¹⁶⁷ Noting the situation in different countries and considering that "the traffic in women is always and in all circumstances a profoundly immoral and anti-social act" and "experience has shown that impunity as regards to traffic in women who are over age and who consent is hampering the effective suppression of traffic in minors", the Committee supported the removal of the age limit. Furthermore, it "begged" the Council to approach Governments in order to make traffic in women punishable in national legislation even if the victims are over age and consent.¹⁶⁸

¹⁶⁵ 6S3M_minutes 1927, 20.

¹⁶⁶ 8S9M_minutes 1929, 60.

¹⁶⁷ 11S5M_minutes 1932, 1–2.

¹⁶⁸ League of Nations, Trafficking in Women and Children Committee, 1932.

Next, I will enlarge on the discussion by presenting the seven categories which arose from it and form the inductive basis of the analysis. The categories are organised roughly from the most supportive to the elimination of the age limit to the least supportive. However, some categories in the middle include notions for both positions. Forcing the discussion into strictly supportive or opposing categories would have resulted in factitious clearness and losing some of the richness of the debate.

Obstacle to suppression – The most persuasive argument for the removal of the age limit presented it as a central barrier in the fight against traffic. For example, in 1928, when the Committee was actively forming its stance on the matter, the French delegate noted that the age limit had been one of the chief obstacles in the suppression of the traffic, and its removal was therefore critical.¹⁶⁹ This view gained extensive support from the other state representatives and especially from the Assessors. The age limit seemed like a helping hand to traffickers, which facilitated their actions, instead of doing the opposite. Many advocates of this position spoke in favour of more robust measures for abolishing trafficking altogether stating, which to some seemed to presuppose abolishment of prostitution as well. The absolutist or abolitionist views were not as common as the support for the notion that the age limit imposed practical challenges.

Incentive to forge papers – Another argument in favour of removing the age limit was that it encouraged the use of false papers. Forged documents were a widespread and well-recognised problem around trafficking in general. Representatives of organisations reported numerous cases, where girls under twenty-one years of age presented false papers, which described them as being overage. Forge passports were how a large number of minor girls fell victims to the traffic.¹⁷⁰ Although it was not implicitly mentioned, false papers were a problem in situations where a victim crossed borders. The close connection between this problem and trafficking seems to imply that trafficking was primarily an offence involving international cross border movement.

Challenge of borderline cases – Of course, there were also many cases, where victims who appeared young victims were overage. Here the concern was the lack of options in situations, where the victim was only a few months above the age of 21 years old. Even in cases of flagrant offence, taking action to help the victim was impossible if she was perhaps only some few months above the age limit..¹⁷¹ The arguments of borderline cases

¹⁶⁹ 8S9M_minutes 1929, 60.

¹⁷⁰ 7S8M_minutes 1928, 38.

¹⁷¹ 8S9M_minutes 1929, 60.

were somewhat subordinate to the category Obstacle to suppression, as their basis too was the notion that the age limit made the traffickers' "job" easier. The challenge of borderline cases still composes its category, as it was the central idea behind removing the age limit. It could also be the reason the Committee did not discuss proposals on changing the limit, which had been the outcome of the previous attempt to remove the limit. Changing the limit value would not help if it was clear that the existence of a limit caused problems in itself.

Varying national legislation – As the Japanese representative noted, age limits "varied considerably according to races and countries". Therefore, he concluded, it would be best to refrain from changing the international conventions too hastily.¹⁷² The same notion was, however, used as an argument of the opposing view as well. For those wanting to remove "under age" from the International Conventions, various versions of the age of majority were another reason supporting their view. This view was particularly strongly present in the comments of the representatives of the voluntary organisations.

The differing uses of the argument on varying national practices and laws are likely to stem from similarly differing views on the nature of international cooperation. It appears that some saw it as an arena for national states to gain additional visibility and tools to promote their endeavours. Others, in turn, seemed to regard the Committee a platform for formulating common objectives and means for meeting them. For the previous, differences in national laws could indicate a reason to retard cooperation. For the latter, it could appear as a change to make progress through unifying national practices. In the Committee's discussion, the prevailing view was that further harmonisation was an opportunity, which the governments should seize in the collective combat against trafficking.

Unconditionality – In addition to variety concerning the age of majority, countries had diverse traffic-related legislation in place overall. (One of the most significant differences was the relationship with state regulation of prostitution, which will be enlarged on in the following sub-chapter.) Readiness to remove the age limit was naturally connected to the effect it would have on interpreting national legislation. Reservations were voiced on the "unconditionality", that this change would bring. In order to soften these effects, the Danish delegation proposed that the unconditionality would only concern "international traffic".¹⁷³ The possibility to distinguish between international and traffic divided the

¹⁷² 6S3M_minutes 1927, 20.

¹⁷³ 11S5M_minutes 1932, 4–11.

ACTWC. Those who deemed that drawing such a line could be done seemed to agree that the unconditionality that would come from removing age limit was not necessary for suppressing national traffic. The majority of the ACTWC was not, however, ready to support this view.

Protection of a third party – (Unconditional) removal of the age limit could lead to situations, where a third party would be charged with abetting the prostitution of an adult woman. The notion that fell into this category were quite scarce. They were, however, distinguished enough to require a separate category. It is one of the rare considerations of a third party since the majority. Generally, the discussion centred around the dualism of a victim and a trafficker. Such a third party could be someone who would help a prostitute emigrate to another country in order to exercise her profession, without any hope of gain. Another example could be a girl working in a dancehall, who introduces a client to her colleague. Some others, thought that such problems were in practice surmountable.¹⁷⁴

Notions on how legislation targeting actions that lead even a willing adult to execute prostitution or similar activities could endanger the legal protection of innocent parties, diverged from the rather holistic tone often present in the discussions. These notions acknowledged the possibility, that some women indeed willingly practised prostitution, and might do it a setting where elements of violence, fraud or other methods of compulsion could be present, without them necessarily affecting the choices these women made. The abolitionists rarely brought forwards such notions.

Freedom of an individual – The most persuasive argument against the removal of the age limit was, in turn, that it was an offence to an individual's freedom of choice. The Conventions should not protect adults from their own choices. This persistent argument in favour of keeping the age limit often came from the Danish delegation¹⁷⁵. This category includes notions on the freedom or interest of the individual, liberty of action, and consequences of voluntarily made decisions. The driving idea then is that adults should not be treated as children. In a similar manner as the notions on how unconditional of internal conventions could have on third parties, the arguments defending the freedom of choice were equally concerned of the victims of trafficking as individuals, not merely the traffic as a phenomenon.

¹⁷⁴ 7S8M_minutes 1928, 37.

¹⁷⁵ Ibid; 8S6M_minutes 1929, 60.

5.1.2 Would abolishing licensed houses prevent trafficking ?

System of licensed houses was part of one of the weightiest debates of the Committee's work: what is the relationship between state regulation of prostitution and trafficking? State regulation of prostitution was a custom in little over a half of the countries involved in the League, which made it common enough to be a significant element in the operational environment of trafficking. As a matter of national legislation on prostitution, state regulation did not belong under the competence of the Committee in whole. However, as licensed houses were regarded to encourage trafficking in women internationally, the system became a vital issue in the Committee's work.

The question of licensed houses first came on the Committee's agenda in its second session in 1923, following a resolution of the third Assembly. At the time, the abolition of the state regulation system was already under discussion in general. However, pending its realisation, the Committee was asked to consider whether it would be possible to deny foreign women from working as prostitutes in licensed houses.¹⁷⁶ The matter divided the Committee sharply. Whereas many supported the proposal, others appreciated the concern behind the Assembly's resolution but deemed it impossible to execute. Furthermore, the French delegate expressed a strong opinion that the Committee's mandate did not enable decision making concerning any aspects of state regulation.

Those concerns remained present in the discussion for many years to come, even though the proposal of forbidding the employment of foreign women in licensed houses managed to pass the Committee's vote later in the same session.¹⁷⁷ Regardless of the disagreements, the Committee also decided to send the governments questions of any witnessed connections between trafficking and state regulation. Where applicable, the effects of abolishing the system were of interest as well. By the next session in 1924, states had either shown little eagerness to respond or they had informed the Committee that they lacked relevant experiences.¹⁷⁸ The few replies the Committee had received did, however, strengthen the impression that licensed houses created or upheld challenges on suppressing the traffic. In the following two years, the Committee received a few more replies, but these did not result in new discussions of the matter. The divisiveness and lack of vigour from the governments' side seemed to move the issue aside for a while.

The session of 1927 entailed a shift in this trend. In a similar manner as with the question of the age limit, the report by the Body of Experts intensified the discussions

¹⁷⁶ 2S4M_minutes 1923, 19.

¹⁷⁷ 2S5M_minutes 1923, 25.

¹⁷⁸ 3S_report 1924, 5–7.

over abolishing the system of licensed houses significantly. The Committee itself had hoped that the Experts would pay special attention to licensed houses. The report indeed came to provide empirical support to the understanding that the system fed trafficking in women. However, the determining factor in fuelling the debate over actual abolition of licensed houses came from the Assembly. In its eighth ordinary session later in 1927 the Assembly requested the Committee to urgently examine the desirability of recommending the abolition of the system of the licensed houses to all governments.

The Committee discussed the matter in its next session in 1928. During the discussion, it became clear that attitudes on the licensed houses differed on many levels. The Assessors, meaning the organisations, were unitedly promoting the abolition of licensed houses. They took part in the conversation actively but lacked a right to vote. Some delegates, namely from Denmark and Spain – where the King had declared himself in favour of the abolition¹⁷⁹ – shared the abolitionist view and highlighted the moral aspects of the question above all others. Others, for example, the Romanian delegation, agreed in principle but had some possible reservation concerning the possible effects abolishing licensed houses would have on public order. Finally, the other extreme from the organisations was the French delegation, which held that although licensed houses were somewhat problematic, they were the lesser evil compared to the uncontrollable spread of venereal diseases and increased presence of underworld in public space. The idea was that prostitution was unlikely to vanish even if the legal places for it were removed and therefore public control over it was the best course of action.

Many Members felt that the technical nature of the Committee prevented it from merely expressing an opinion. Instead, they should accompany their views with an explanation of necessary measures. In other words, the Committee wanted to base its opinion on experiences from states. Noting, that the previous round of questionnaire on licensed houses sent to governments concerned only its relations to traffic, many felt that a new questionnaire with broader set on questions would be needed.¹⁸⁰ The request for more information came mainly from the parties who had reservations for abolition. Since the arguments for and against abolition stemmed from quite different factual premises, the Committee agreed that further investigation on the matter could be helpful.¹⁸¹ It requested a new study, this time with particular attention to laws and regulations in force in those countries that had abolished the system.

¹⁷⁹ 7S6M_minutes 1928, 30.

¹⁸⁰ 7S5M_minutes 1928, 26–27.

¹⁸¹ 7S8M_minutes 1928, 41.

Like the empirical findings in the report by the Body of Experts, experiences from countries where licensed houses had been suppressed supported the views that the system caused problems more than it removed them. One of the weightiest reasons for licensed houses had been preventing the spread of venereal diseases. The fear was that suppressing the system would lead to an outburst of infections. Another line of reasoning highlighted public order, which the system was supposed to maintain by keeping prostitution separate from criminal activities. Furthermore, having prostitutes on the streets would be endanger peacefulness of public space and weaken public moral. In the light of the new study all of the arguments for licensed houses appeared empty. Furthermore, the experience from states which had abolished the system of licensed houses was that the feared consequences for public health, order or morality had not emerged. In its ninth session in 1930, the Committee unanimously adopted its final resolution on the matter:

“The Traffic in Women and Children Committee,

- Having considered the reports on the maintenance of public order and good health received from the Governments of those countries where the system of licensed houses has been abolished,
- Notes that the fear that abolition would result in an increase of venereal disease or would be prejudicial to public order has been proved to be unfounded, and that the danger of international traffic has been diminished by the closing of the houses.
- The Committee, therefore, being of the opinion that the study of these replies would be of interest and assistance to those Governments which are considering the possibility of abolishing the licensed house system,
- Asks the Council to forward document C.T.F.E. 466(1) to the States Members and non-Members of the League of Nations.”¹⁸²

The question of licensed houses was complicated, and the above resolution from the Committee did not seal its destiny as a whole. It marked, however, the formation of shared view within the Committee. Consequently, the League’s stance on the issue shaped accordingly, little by little as the governments began to adjust to the proposal. In the following years, the Secretariat of the League managed to conduct an investigation, that offered a broad review of the situation of licensed houses across the globe. The report followed the lines of the above resolution, and it was published under the Committee’s name in 1934.¹⁸³

Next, I present the categories that arose from analysing the discussion. Debate around licensed houses does not divide into two clear positions; instead it composes of

¹⁸² 9S10M_minutes 1930, 60.

¹⁸³ League of Nations, Committee on Traffic in Women and Children, 1934.

several veins and factual understandings, which the participants emphasised varyingly. The analysis of this discussion composes of altogether six categories: 1) Foreign women; 2) Fuelling the traffic; 3) Competence of the Committee; 4) Moral aspects; 5) Conditions in the houses; 6) Protecting the public. This sub-chapter begins with the categories that are most clearly connected to the work of the Committee in suppressing trafficking and proceeding towards the ones that concern mainly prostitution.

Foreign women – The starting point of the whole discussion in this Committee was the connection between trafficking and employment of foreign women in licensed houses. The objective of the first discussion on the question was to assess the possibility of denying foreign women from working in state regulated brothels. The underlying assumption was that such a rule would be a considerable help in suppressing the traffic.¹⁸⁴ This was a shared view of the Committee. The Assessors were especially eager to emphasize employment of foreign women in licensed houses as a major cause of traffic. Preventing the flow of foreign women into licensed houses would be an enormous step forward in the fight against traffic as “a large part of the traffic would inevitably cease”¹⁸⁵.

The Assembly had unanimously accepted the proposal expelling foreign women from licensed houses. Although the Members of the Committee appreciated the objective and the intention of the proposal, many had reservations on its execution. These concerns included legal and practical aspects, namely challenges in establishing the accepted nationality, for example in case where a person had been born of foreign parents but in the country. Another concern was what would happen to these women after they were kicked out from licensed houses. Could they be expelled from the country even though prostitution itself did usually not constitute of crime? The repatriation of foreign prostitutes grew into a new debate, which separated from the question of licensed houses.

Foreign prostitutes were, overall, a group which evoked a lot of exchange in views. Prostitutes with foreign origin were often treated as one group, although it was occasionally mentioned that some might have been prostitutes before they migrated, and others were perhaps pushed into prostitution after their move due to lack of options. Then, of course, there were women who had not chosen to become prostitutes – victims of traffic. Remarkably, segregation between foreign women who had been trafficked into prostitution and those who had entered into it otherwise was not a notable part of the discussion. Although this distinction was essential in assessing whether trafficking a

¹⁸⁴ 2S4M_minutes 1923, 19.

¹⁸⁵ 2S4M_minutes 1923, 21.

grown woman was punishable or not, it was not as relevant for this matter, since the Committee accepted the proposal of expelling all foreign women from licensed houses. However, this ignorance toward the separation between trafficked prostitutes and other prostitutes seemed to partially extend to the debate of licensed houses in general.

Fuelling the traffic – The Members of the Committee agreed on the seriousness of the link between trafficking and licensed houses. Consensus was most apparent in relation to questions of foreign women but was not limited to those instances. The discussion on licensed houses' adverse effects on suppressing the traffic was less argumentative than around the system in general. Empirical experiences supported the view that licensed houses led to an increase in the number of prostitutes, facilitated corruption and stimulated the demand for women.¹⁸⁶ The system seemed to feed the practices it was created to control. All of the Assessors though that the abolition of the licensed houses would be the best way to prevent traffic. Many representatives of the State Members agreed early on – at least on personal level, some had their governments support as well – and rest came around during the many years the Committee spent discussing this matter.

At one occasion, the Committee was discussing another matter (penalties for the persons living on the “immoral earnings of women”), and a representative of the UK mentioned in oversight that some governments might need a bit more time to abolish the system of licensed houses before the Committee should move on with this new question. The response to his comment was chilling. A representative of the Assessors declared his disbelief in that a member of the Committee could defend the system of licensed houses in any way after the seven years they had spent discussing the matter. Judging from the discussion, he spoke for many as he voiced his opinion that the Committee's viewpoint on the issue was entirely wrong if it assumed that new legislation fighting traffic would not be possible as long as there still were licensed houses. The approach should, according to him, obviously be ensuring the final disappearance of all licensed houses, namely by proposing legislation. After all, the ACTWC “had always recognised” the licensed houses “to be the main cause of the traffic”, as the Secretariat had recorded his contribution.¹⁸⁷

Competence of the Committee – The discussion on foreign women in licensed houses had inherently an element of potential international traffic in it and it fell thus quite naturally within the Committee's area of expertise. Some state members, particularly the French delegation, felt unease with giving advice even on that question, since states had such

¹⁸⁶ 7S6M_minutes 1928, 29.

¹⁸⁷ 10S5M_minutes 1931, 21.

differing practices.¹⁸⁸ The majority of the Committee were less concerned. However, once the discussion expanded to the system of licensed houses in general, the competence of the Committee was no longer obvious. Surprisingly, disputes on competence still failed to constitute a noticeable part of the discussion. Some comments on mandate or on avoiding putting too much pressure on the government appeared,¹⁸⁹ but in general the members of the Committee did not oppose the considerable role state regulated prostitution gained in the Committee's work. Instead, it appeared that many members had quite extensive expertise on issues related to prostitution.

Moral aspects –Immorality of prostitution and especially regulating it were a permanent element the conversation about abolishing the system of licensed houses. For those who opposed the existence of licensed houses, these aspects were the most inalienable ones. The Danish delegation for example, often pushed for more speedy handling of the issue stressing that it was mainly a moral one.¹⁹⁰ The moral argument was exceptional in the sense, that although only some regarded it as the most critical viewpoint, no one denied its importance. Some simply highlighted other aspects as well.

The representative of the Women's International Organisation deemed that even if the worst scenarios of abandoning state regulation materialised, namely emergence unregulated private houses, it would still be an advancement from moral point of view: states would no longer message that they tolerate and sanction something that all women regarded abominable.¹⁹¹ This comment represents thinking that all prostitution is oppression against women, which only part of those stressing moral aspects shared. The precedence of moral viewpoints over all others did not indicate positioning on attitudes towards prostitution in general. Both those supporting women's right to choose sex work and those wanting to abolish prostitution altogether expressed deep concern over the morality of state licensed (or tolerated, as they were occasionally called) houses. Especial concern related to the signal licensed houses sent to the youth. As the Belgian representative asked, how could young people have respect for the principles of clean living if the State thus recognised debauchery and protected houses for the practice of immorality?¹⁹² The advocates of moral aspects held that licensed houses were a moral defeat for those inside of them and for the society as a whole.

¹⁸⁸ 2S4M_minutes 1923, 21.

¹⁸⁹ 7S5M_minutes 1928, 27; 10S5M_minutes 1931, 21.

¹⁹⁰ 7S5M_minutes 1928, 26.

¹⁹¹ 7S6M_minutes 1928, 27.

¹⁹² 7S6M_minutes 1928, 29.

Conditions in the houses – In addition to the moral ingredients connected to the idea of state regulated prostitution, the conditions in the licensed houses posed another ethical dilemma. The first time the Committee discussed the topic, the Members had differing understandings on whether the prostitutes in the licensed houses or in “private markets” had better living conditions.¹⁹³ Within time, the common understanding was increasingly that the conditions in the houses were in fact worse.

Physical conditions were not the only thing that worried the Members. The Committee was concerned of a statement, which the Belgian Department of Justice submitted to the Committee’s first questionnaire on the experiences on the licensed houses. The reported states that “the inmates of licensed houses rapidly lost all will power and moral sense” and that “having fallen to the last stage of abjectness they are the constant victims of traffickers to a far greater extent than clandestine prostitutes”.¹⁹⁴

Protecting the public – Even with the adversity the system of licensed houses caused, some saw it as a lesser evil. They cited the reasons the licensed houses had initially been established: promoting public order, protecting public health against venereal diseases and fostering public moral. The line of thought was that licensed houses were undeniably immoral, but the danger abolishing them would cause to the public was too big of a risk.¹⁹⁵

Within the many years of debate, these arguments were defeated on the Committee. The main reasons seemed to be the strength of the moral arguments, and the fact that there was serious lack of evidence supporting the view that licensed houses produced any good. In addition to their proven tendency to attract corruption and criminal activity, they failed to enable functioning sanitary control. Furthermore, the states that had abandoned the system reported that no changes in the level of venereal diseases.¹⁹⁶ Roughly speaking, the only profit the system provided was false sense of security.

5.2 Dimensions of the traffic

The previous parts of this chapters presented altogether thirteen analytical categories, which were formed on the basis of the data. The function these categories served was clustering observations from the recorded discussions around two cases into presentable units. Although the objective of this study directed choosing those two cases as beacons of the analysis, the categories were formed rather inductively with the aim of exhaustively portraying different elements of the discussions. The last part of the analysis was

¹⁹³ 2S4M_1923, 22.

¹⁹⁴ 3S_report 1924, 6.

¹⁹⁵ 7S5M_minutes 1928, 27.

¹⁹⁶ 7S5M_minutes 1928, 26; 7S6M_minutes 1928, 28–29.

formulating the inductively formed categories into broader categories. This sub-chapter condenses the thirteen categories into four main categories or dimensions. To avoid the pitfall of neglecting negative evidence, reflection with the five ways of problematising trafficking served a mirror in making these categories.¹⁹⁷ Out of the angles of migration, organised crime, prostitution, human rights abuse and security, prostitution was an overwhelmingly dominant. Organised crime, in turn, received least attention from the ACTWC from the viewpoint of the research problem. Although the Committee had discussion concerning perpetrators, they did not meaningfully shed light on the victim-oriented research questions or conception on trafficking. Therefore, the findings compose of four main dimensions, which enable drawing conclusions in the next and final chapter.

International traffic in (foreign) women – Based on the discussions in the Committee, trafficking was regarded first and foremost as trade in women across national borders. Such notions fell under several of previously presented categories, namely incentive to forge papers and repeated discussions about “foreign women”. Similar idea expressed itself in the debate over the ACTWCs mandate. The international conventions on trafficking had been attempts to establish functioning international cooperation to combat the problem, and the League’s role was ultimately coordinating this cooperation. Therefore, as especially the French representative often noted, the international aspect of trafficking was inherently the focus of the Committee. Whereas this in itself does not tell much about the perception of traffic, the discussions on the possibility to separate international traffic from national one does. For example, when the Danish delegate suggested such a division, to enable adjusting the international conventions without generating an obligation to amend national legislation concerning internal affairs, many other members maintained that such a division is impossible: trafficking is essentially international. This supports the idea of a global prohibition regime, as it implies that the focus was particularly on establishing norms collectively at an international level.

The noticeable focus on foreign women supported the line of reasoning. The shared view of the Committee was that denying foreign women the right to work in licensed houses would significantly suppress the traffic, although not all of the members agreed that this was in practice feasible. However, the concern of the ACTWC was centred around the cross-border movement of women. Limiting this movement was seen as a potential way of preventing trafficking, although some of the experts voiced more reserved tones on this line of action than others. One exception from the general view on

¹⁹⁷ See Chapter 2.1 and Aradau 2008 36–37.

centrality of foreign women was Japan, since its representative repeatedly stated that there were no foreign prostitutes in Japanese licensed houses and that Japanese women were not allowed to be employed in prostitution abroad.¹⁹⁸ Other members of the Committee deemed this deviation interesting, but it did not result in meaningful shifts in the debate.

Finally, it appears that whereas the movement against white slavery had originated from the concern that girls were being trafficking abroad, the Committee's discussion noticeably immigration of foreign women. This notion concerns mainly the government representatives, as the voluntary organisations' cause seemed to be connected to specific group of potential victims, namely British girls or Jewish girls.

Traffic in prostitutes and children – Throughout the discussions, it became clear that prostitution was the sole form of exploitation the ACTWC was concerned of. Whereas this was apparent in discussion around both of the cases, it was even more clearly connected to the debate over the system of licensed houses. The debate eventually focused on other issues related to prostitution much more than around trafficking. The Committee dedicated considerable portion of the time it spent on the topic to public health and spread of venereal diseases. These seemed to be the case despite the fact, that in the beginning of the discussion the Committee had to consider whether the state regulation of prostitution belong under its competence at all. The only notions that the question of licensed houses did not belong in the Committee argued that the matter was a national one.¹⁹⁹ There were no comments separating prostitution from trafficking, or notions that the Committee should focus on possible other forms of trafficking than those of sexual exploitation or exploiting sex workers. This strongly suggests, that the traffic in women and children was perceived as traffic for of exploitation in the context of prostitution.

In the light of previous literature, this finding is not surprising. Actually, it was anticipated, as the origins of the anti-trafficking movement were in the concerns related directly to prostitution. However, noting that the movement later came on encompass various other forms of exploitation, this study wanted to examine whether indications of this broadening of the scope emerged in the early years of the Committee, when its work meaningfully took its shape. Additionally, including children in the new term could have suggested that the phenomenon was considered also outside of the context of prostitution. Based on the analysis it appears, that children were perceived as potential victims when they were in risk of being exploited similarly as women.

¹⁹⁸ 2S4M_minutes 1923, 22; 3S_report 1924, 5.

¹⁹⁹ 2S4M_minutes 1923, 20.

Another element in this main category was the choice of working as a prostitute. Freedom to choose prostitution and even some cases freedom to take the risk of being taken advantage of was advocated only by few within the Committee. However, this minority voiced their concerns loudly enough to make it clear, that the Committee did not collectively regard all prostitution as exploitation. Additionally, some who did not necessarily promote women's right to choose prostitution, expressed concerns over factors that led women to choose becoming prostitutes, most importantly unemployment and poverty in general.²⁰⁰

Violation of individual's rights and moral sense – Human rights abuses as such were not discussed in the Committee for the obvious reason that 'human rights' were not established in the language, and the international human rights as they are currently known were yet to be declared. The idea of individual's rights, in turn, also clearly present in the discussions. In addition to remarks dealing with rights directly, many of the notions concerning moral aspects fell under this category, as they were ultimately about the manner in which a person can be treated. From the viewpoint of trafficking, such considerations arose mainly during the discussion about eliminating the age limit. Whereas moral questions were strongly present in the debate over the system of licensed houses, they concerned primarily the morality of prostitution in general than trafficking.

In addition to a women's right to choose life as a prostitute, the protection of a third party from being wrongly accused of facilitating trafficking was an issue directly addressed through the language of an individual's rights. Thus, the right to choose prostitution did not concern only prostitutes, it concerned also people close to them. However, such notions were played a quite marginal role in the discussion. Much more weight was given to overall considerations on how to best help potential victims from facing exploitation and life in appalling conditions. The fact that state regulated produced worse living conditions in licensed houses than other brothels was ultimately a problem concerning prostitution, but since trafficking was concerned merely a problematic entry to prostitution in unfair conditions, it is natural that concerns on the inhuman conditions spilled over to the debate on trafficking.

Finally, one question that was problematised through notions of an individual's rights was expelling foreign prostitutes, after it was decided that their employment in licensed houses would be denied. Especially representatives of voluntary organisations saw risks that this would lead to repatriating foreign women even if it could not be verified

²⁰⁰ 8S6M_1929, 37.

that they had sought to register as prostitutes. Here too, the remarks seemed to appeal to moral sense as much as they did to practical aspects or regulations.

Sense of security – The final category composes of problematisation of trafficking as a question of security. The starting point for anti-trafficking efforts was protection of women and children from being trafficked, and hence closely connected to increasing security measures for a vulnerable group. However, as the discussion proceeded, many other security concerns arose as well. These were mainly connected to promoting public security. Protecting women from being trafficked namely during travel and through preventive measures such ensuring that the international conventions enabled convicting traffickers was easily agreeable. However, when it came to prevention of trafficking through removing systems that were known to facilitate it but were in place on grounds of promoting public security, the debate became a lot more complicated.

Eventually those, who defended public security and especially public health on the expense of victims of trafficking or prostitutes in general, ended up at the defensive side. This was mainly to the lack of evidence, that the system of licensed houses which lead to new victims becoming trafficked would deliver any of the benefits it was designed to do. In some sense, the Committee did not have to choose between security of the potential victims of trafficking and security of the public, as the latter proved to be merely false sense of security. and protecting public Once the spread of health hazards and other risks related to abolishment of state regulation were proven unlikely, it was easier to find support to protecting potential victims of by ending the system that facilitated the problem. As Metzger notes, the weight of factual evidence allowed for the League to recommend the abolition of the state regulation of prostitution and hence challenge the principle of state sovereignty.²⁰¹

²⁰¹ Metzger 2007, 73–74.

6 DISCUSSION AND CONCLUSION

This study has dived deep into the roots of international anti-trafficking efforts. The initial objective was making the conceptual context of human trafficking more understandable, by enlarging on the way the activists and leading experts of the early twentieth century problematised trafficking. As a change in vocabulary often signals a change in ideas, the emergence of new language on trafficking in the early of 1920s was suitable instance for analysis. Furthermore, the time frame was especially interesting, as it marked the beginning of the League's coming into existence as the first intergovernmental organisation or an international organisation "with general political goals".²⁰² One of these goals was coordinating the movement against trafficking.

The study set out to find out whether the adoption of term 'traffic in women and children' entailed a change in the conception, which had previously concerned primarily trade in women for purposes of prostitution. The short answer is that, in essence, any meaningful change did not occur. Prostitution lay at the heart of the ACTWC's conception of trafficking; it was the sole purpose for trafficking someone. Indications that the concept would have begun to expand to include other forms of exploitation were absent. Whereas that may sound like an endnote, it is actually a fruitful starting point for a discussion.

Firstly, even though the new language of trafficking did not revolutionise the scope of trafficking beyond exploitation for prostitution. It does not mean that it did not carry any significant changes. One of the research questions was whether the removal of 'white' from the term leads to a discussion on the nationality of the victims. Based on the findings, the focus was increasingly on foreign women. From the viewpoint of the anti-trafficking movement, this was an expansion. Leppänen suggests that the adoption of a new concept enabled an internationalisation of the movement and marked changes in the combat's worldview regarding questions of race, ethnicity, sexuality and internationalised politics and hence mark several changes.²⁰³ On the other hand, this was also a way to make life harder for migrant women. Especially some representatives of the voluntary organisations were concerned that denying foreign women from working in licensed houses lead to an increase in monitoring the movement of foreign women overall. At worst, the practice could lead to repatriating foreign woman even if her attempt to seek employment as a

²⁰² Isoni 2014, 61.

²⁰³ Leppänen 2007, 524.

registered prostitute could not be verified. Despite these worries, the ACTWC supported prohibiting foreign women's possibility to work in a licensed house.

Interestingly, Laite notes that newer studies show that strengthening of such literal and figurative borders began already as a result of the fight against 'white slavery'. The typical perception of 'white slavery' has been an image of a vulnerable young woman being tricked far away from home and taken advantage of was cut to cause a hysteria of a sort.²⁰⁴ Whereas the majority of scholarship has repeated this type of discourse where the victims of 'white slavery' were helpless and racially white women, it appears that the concept also served as a way to support nationalist attitudes and ways to police non-white sexuality.²⁰⁵ It appears that some initiatives of fighting 'white slavery' had nuances, which enabled and justified controlling the movement of women – and that the new term continued to carry these meanings. Limoncelli reckons that despite the admirable aims, the first international anti-trafficking movement gradually gave ended up promoting social control of women and serving the rising nationalist concerns of keeping “undesirable” migrants out.²⁰⁶ Although this notion appears surprising, noting how strongly many of the early advocates of anti-trafficking focus on victims, the findings of this study seem to support it. Making movement of women harder was a way to prevent trafficking. Although all of the individuals who participated in the work of the ACTWC, appeared committed to finding the best solutions, the discussion often ended in accepting proposals even if their pitfalls were evident.

Another research question concerning a potential change the new language could have a particular focus on the age of victims. In light of the findings, there were very few signs of such change. The ACTWC expressed its concern over the fact that young girls seeking employment from abroad were especially vulnerable. However, despite national differences in legislation, being allowed to travel abroad often meant that the young girls were close to an adult. Thus, even though the new term noted children as a group of potential victims, the underaged victims were typically young girls, in the risk of being trafficked in the same manner as grown women – for the purposes of prostitution. Overall, the new term in itself seemed to bring very few new elements to the general view of white slavery. What was surprising, in turn, how much the discussion on traffic concerned general attitudes towards prostitution.

²⁰⁴ See e.g. Doezenia 2000; Metzger 2007, 56.

²⁰⁵ Laite 2017, 38; Limoncelli 2010, 9.

²⁰⁶ Limoncelli 2010, 2.

In a sense, it appeared that in questions concerning the traffic itself, the ACTWC had somewhat compatible views, but on the purpose of the traffic, the discussion was more complicated. The unexpected element was not the emergence of differing views noting, that the two extreme ends of the first international the anti-trafficking movement were both represented in the ACTWC. The disagreement was natural, although García actually argues that an image of sharply divided movement is an oversimplification. According to her studies, the ‘social purity’ approach of the regulationists began to attract activists also from the feminist camp.²⁰⁷ Nonetheless, what was interesting was how the moral question about the existence of prostitution had a central role in the work of the ACTWC. Despite other differences of views, both groups regarded prostitution ultimately as a moral problem. Moral seriousness was typical for abolitionists, who regarded prostitution as a moral offence above all else.²⁰⁸ According to the analysis in this study, proponents of the social purity approach, in turn, were concerned about what would happen to public moral if licensed houses were removed. The debate around licensed houses clearly showed that prostitution was not only the only purpose for traffic the predominant conception recognised, moral aspects of it dominated the conception of trafficking altogether.

The tendency to problematise trafficking and prostitution through moral aspects suits well to the idea of a prohibition regime. Thus, the findings of this study strongly suggest that the ACTWS was an emerging embodiment of such a regime. Firstly, the strong emphasis on the international aspects of trafficking suggests that the objective of having an influencing at a broad level. Secondly, by eventually recommending the abolition of the licensed houses, the ACTWC challenged the principle of state sovereignty.²⁰⁹ This suggests that the regime reached a level, where it deliberately gave guidelines for states on how to behave concerning trafficking. Thirdly, the movement against trafficking was a rather typical example of an evolving set of norms in a sense, that the stimulus for emergence of a prohibition regime came from nongovernmental transnational organisations functioning as “transnational moral entrepreneurs”, as Nadelmann calls them. These groups promote the regime comprehensively by mobilising public opinion, influencing governments and supporting like-minded organisations in other countries.²¹⁰ Finally, considering Nadelmann’s five stages in which these regimes

²⁰⁷ García 2012, 102.

²⁰⁸ Gorman 2008, 196.

²⁰⁹ Metzger 2007, 73–74.

²¹⁰ Nadelmann 1990, 482;514.

emerge, the work of the interwar anti-trafficking regime fell somewhere in between the third and the fourth stage. It had moved passed the second stage of redefining previously approved activity as problematic. Marks of the third stage, namely active advocacy and forming of international conventions were also notable. However, the fourth stage has two distinctive features: first, criminal laws and comprehensive police action and second, the emergence of IOs and international conventions to take a coordinating role.²¹¹ Out of these two, only the latter requirement was, obviously in the emergence of the League and the ACTWC. Moreover, the fifth stage of significantly reduce or vanishing of the prohibited activity remains unachieved.

Nadelmann, himself applies this theory of a global prohibition regime to the ‘white slavery’ regarding it as a movement to prohibit prostitution notes, that although the regime has managed to abolish state regulation of prostitution broadly and to apply to prohibit prostitution. However, unlike some other prohibition regimes, it has not managed to universally establish a moral notion rejecting prostitution, although this was the aim of some of the advocates.²¹² In other words, although the new inclusive language did serve to broaden the scope of victims from ‘white women’ to women in general, the conception did not still correspond to the practicalities of real-life and hence abandoned ‘a holistic view on trafficking’.²¹³ In other words, although the new inclusive language did serve to broaden the scope of victims from ‘white women’ to women in general, the conception did not still correspond to the practicalities of real life and hence abandoned ‘a holistic view on trafficking’²¹⁴.

The efforts of the ACTWC come across as somewhat contradicting. They do, however, deserve some credit too. As Metzger notes, the World War I managed to bring the international cooperation against ‘white slavery’ to halt. However, it failed to erase the sense of solidarity and purpose the movement had already created.²¹⁵ Instead, the war increased consciousness of cross-border social, political and economic problems.²¹⁶ Despite the League’s infamous failures in maintaining peace, its technical work proved to be among its most significant legacy. The League made a considerable impact in this field of social and humanitarian endeavour, by establishing bodies. In addition to the ACTWC, these include namely the Health Organisation and the Advisory Committee on

²¹¹ Nadelmann 1990, 484–485.

²¹² Nadelmann 1990, 515–516.

²¹³ Laite 2017, 40

²¹⁴ Laite 2017, 42.

²¹⁵ Metzger 2007, 56–57.

²¹⁶ Gorman 2008, 189.

Traffic in Opium and other Dangerous Drugs.²¹⁷ This international technical cooperation continued to deepen in the form of intertwined networks even after states increasingly left the League in the 1930s.²¹⁸ Previous research also suggests that the influence of women's organisations within the League decreased considerably in the 1930s.²¹⁹ Miller, in turn, connects considerable attention to transitional social and political problems with the entry of more women into the sphere of international politics.²²⁰ Consequently, the decline of "social maternalism" lead to lessening interest in trafficking as well, and this was evident already in 1933.²²¹ In that regard, prospects for future research include continuing to analyse the anti-trafficking regime and development of predominant conceptions on trafficking as it is now clear that the perception remained quite narrow throughout in the most active years of the ACTWC's work. In the interwar period, the – most likely unconscious – ambiguousness around the conception of 'traffic in women and children' and its dynamics regarding prostitution eventually lead to contradicting policies, which for many advocates were far from their original objectives.

History matters and the earlier anti-trafficking movement has a lot to teach for contemporary activists and scholars. Moreover, the present-day deserves similar scrutinising. Even good intentions can lead to ambivalent outcomes if the conceptions they build upon are unclear.

²¹⁷ Henig 2010, 180.

²¹⁸ Herren 2016, 108.

²¹⁹ Pliley, 2010: 100

²²⁰ Miller 1992.

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APPENDICES

I: LIST OF THE STATE MEMBERS OF THE LEAGUE OF NATIONS

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APPENDIX I

LIST OF THE STATE MEMBERS OF THE LEAGUE OF NATIONS

The original Members are marked with an asterisk.

<i>Member</i>	<i>Date of entry</i>	<i>Notice of withdrawal (effective after two years)</i>
Afghanistan	September 1934	
Union of South Africa	*	
Albania	December 1920	(Annexed by Italy, April 1939.)
Argentine Republic	*	
Australia	*	
Austria	December 1920	(Annexed by Germany, March 1938.)
Belgium	*	
Bolivia	*	
Brazil	*	
British Empire	*	
Bulgaria	December 1920	
Canada	*	
Chile	*	June 1938
China	*	
Colombia	*	
Costa Rica	December 1920	January 1925
Cuba	*	
Czechoslovakia	*	
Denmark	*	
Dominican Republic	September 1924	
Ecuador	September 1934	
Egypt	May 1937	
Estonia	September 1921	
Ethiopia	September 1923	
Finland	December 1920	
France	*	
Germany	September 1926	October 1933
Greece	*	
Guatemala	*	May 1936
Haiti	*	April 1942
Honduras	*	July 1936
Hungary	September 1922	April 1939

India	*	
Iraq	October 1932	
Ireland	September 1923	
Italy	*	December 1937
Japan	*	March 1933
Latvia	September 1921	
Liberia	*	
Lithuania	September 1921	
Luxemburg	December 1920	
Mexico	September 1931	
Netherlands	*	
New Zealand	*	
Nicaragua	*	June 1936
Norway	*	
Panama	*	
Paraguay	*	February 1935
Persia	*	
Peru	*	April 1939
Poland	*	
Portugal	*	
Romania	*	June 1940
Salvador	*	August 1937
Siam	*	
Spain	*	May 1939
Sweden	*	
Switzerland	*	
Turkey	July 1932	
Union of Soviet Socialist Republics	September 1934	Declared to no longer be a Member of the League, by Council Resolution, December 14th, 1939.
Uruguay	*	
Venezuela	*	July 1938
Yugoslavia	*	

Source: Walters 1952, 64–65.

APPENDIX II

BASIS FOR THE LEAGUE'S WORK IN THE AREA OF TRAFFIC FROM
THE COVENANT OF THE LEAGUE OF NATIONS²²²*Article 23*

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

- (a) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;
- (b) undertake to secure just treatment of the native inhabitants of territories under their control;
- (c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;
- (d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;
- (e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind;
- (f) will endeavour to take steps in matters of international concern for the prevention and control of disease.

²²² League of Nations, 1919.

APPENDIX III

MEMBERS OF THE ADVISORY COMMITTEE IN 1922–1932²²³

a) National Governments

<i>Member</i>	<i>Present</i>	<i>Absent</i>
British Empire	1922–	
Denmark	1922–	
France	1922–	
Italy	1922–	1932
Japan	1922–	
Poland	1922–	
Romania	1922–	
Spain	1922–	
Uruguay	1922–	1922, 1926, 1927, 1930.
United States of America	1923–1925, 1928	
Belgium	1925–	
Germany	1927–	1928

b) Voluntary Organisations

<i>Assessor</i>	<i>Present</i>
International Catholic Girls' Protection Society (<i>Association catholique internationale des œuvres de protection de la jeune fille</i>)	1922–
Women's International Organisations	1922–
International Federation of Girls' Friendly Societies (<i>Fédération des unions nationale des amies de la jeune fille</i>)	1922–
International Bureau for the Suppression of Traffic in Women and Children	1922–
Jewish Association for the Protection of Girls and Women	1922–
International Labour Organisation**	1925–
International Union of Catholic Women's League (<i>Union internationale des Ligues féminines catholiques</i>)	1929–

** Although the International Labour Organisation was occasionally listed among Voluntary Organisations, its representative was typically present in the element of liaison officer and had, hence, a different role compared to other representatives of other Organisations.

²²³ Information collected by the author from the data of this thesis study.

APPENDIX IV

RULES OF PROCEDURE OF THE ADVISORY COMMITTEE

as approved in the first session of the Committee held at Geneva on June 28th, 1922.²²⁴

Article 1

The Advisory Committee shall meet as the Council may direct and at least once a year. The Advisory Committee shall be convened by communications addressed in the name of the Council by the Secretary General, both to the Governments concerned and to the members of the Committee and the assessors.

Article 2

The members of the Committee shall serve in turn as Chairman of the Committee. The Chairman shall remain in office for one session of the Committee and for the subsequent period until the Committee next meets. The order of rotation in which the members shall serve as Chairman shall be the alphabetical order, adopted by the Assembly of the League, of the States which they respectively represent.

Article 3

Assessors shall have the same rights as members except the right of voting.

Article 4

The Secretariat of the Committee shall be provided by the Secretary-General of the League.

Article 5

The provisional agenda for each session of the Committee shall be prepared by the Secretariat and transmitted to the members of the Committee and the assessors. Any items proposed in writing to the Secretariat by a member of the Committee or by an assessor shall be placed on the Agenda.

Article 6

The agenda and, so far as possible, all documents relating to it, shall be circulated to members of the Committee and the assessors at least one month in advance of the sessions of the Committee.

The consideration of subjects which are not included in the agenda thus circulated may, however, be undertaken on a majority vote of the Committee.

Article 7

During the discussion of any question, any member may move the previous question or the adjournment. Such a motion shall have priority and shall be voted on without discussion.

Article 8

A quorum at a sitting of the Committee shall be constituted by a majority of the members of the Committee. The Committee shall take all decisions by a majority of the members present at the sitting. The Chairman shall have the right of giving a casting vote only.

²²⁴ ISM1_1922. 67–68.

APPENDIX V

AN EXAMPLE OF QUANTITATIVE FAMILIARISATION WITH THE DATA

Session	1	2	3*	4	5	6	7	8	9	10	11
<i>p.</i>	<i>66</i>	<i>89</i>	<i>9</i>	<i>139</i>	<i>103</i>	<i>225</i>	<i>171</i>	<i>139</i>	<i>219</i>	<i>91</i>	<i>136</i>
abroad	49	25	1	23	30	5	99	43	53	21	13
age	10	20	5	89	37	281	353	96	203	105	43
boy	0	0	0	9	4	2	1	0	5	0	0
boys	0	3	0	3	4	4	4	14	9	0	1
child	2	1	1	91	4	43	79	48	88	21	11
children	93	118	32	520	212	392	282	253	248	137	47
emigrant	13	5	1	33	16	4	3	5	1	0	0
emigrants	31	29	1	65	74	44	24	22	5	4	7
emigration	70	72	5	52	57	41	45	18	10	4	4
foreign	27	102	5	91	99	259	61	39	44	37	29
girl	3	7	0	56	55	72	75	75	69	19	5
girls	183	115	3	121	130	245	171	169	165	89	23
immigrants	2	10	0	22	17	16	18	19	2	4	0
immigration	8	27	3	38	31	48	27	32	7	5	9
immoral	22	16	4	53	41	90	71	69	114	32	6
licensed	0	155	23	81	87	407	126	134	255	99	53
migrants	0	1	6	11	7	0	8	5	11	5	2
migration	0	2	1	2	4	0	9	0	2	5	0
minor	0	9	0	8	2	0	28	17	20	8	5
minors	6	8	0	26	13	1	49	35	23	15	13
moral	20	18	2	75	39	100	72	41	72	25	9
nationality	3	10	2	42	20	24	9	13	4	6	6
prostitute	1	13	1	24	32	77	18	13	56	23	7
prostitutes	7	65	8	93	156	500	47	92	281	92	42
prostitution	1	125	6	97	120	413	118	157	487	110	67
slave	4	4	1	17	17	12	2	5	4	5	7
white	5	6	1	18	19	18	3	6	10	7	32
young	27	37	0	69	88	124	134	126	145	66	24

* The 3rd Session was the only one from which the minutes were not available and my analysis relied on the report. As it was much shorter and included only summaries of the discussion, the number of appearances of specific words is not comparable with other sessions.